

The Big Lie of 2024
aka **La Gran Mentira**

Exposing Anti-Immigrant Election Lies

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I. Executive Summary

The Big Lie of the 2020 election was that it was somehow stolen from Donald Trump. He and his allies repeated this falsehood for months, ultimately triggering the January 6 insurrection that shook the foundation of our democracy. The Big Lie was, at base, an attempt to silence the expression of choice of the U.S. electorate—and particularly of voters of color, most of whom had rejected him. Now, he and his allies are rolling out the Second Big Lie—in Spanish, “La Gran Mentira”—for 2024. It is an insidious myth centered on invented claims about immigrants and voting. It is already being perpetuated by Trump and his supporters, aimed at undermining public trust in the integrity of this election and at setting the table for them to, once again, claim victory regardless of the final vote tally. Its impact will outlive this election cycle, whatever its outcome; it will worsen political divisions in our already divided nation; and it will continue to create the pretext for nefarious actors to delegitimize election outcomes for years to come.

The Second Big Lie is a disinformation campaign using falsehoods about immigrants to sow doubts about an election. It’s a sad reboot of a very old story in U.S. politics: attacking communities of color to suppress their vote. In this case, the narrative’s power is rooted in reprehensible messaging on immigration: the falsehood around who is coming into this country and what they are doing. Partisans are binding this anti-immigrant message to their broader attempts to sow election doubt and to suppress the political power of racial and ethnic minorities as a growing demographic.

The incidence of ineligible persons voting is vanishingly small—so much so that it is most accurate to say that only eligible people vote in the U.S. Claims to the contrary are legally baseless, unsupported by reliable evidence, and widely debunked by scholars, experts, and election officials from across the political spectrum. This report reviews a broad spectrum of that data and analysis to debunk the myths about ineligible immigrants voting.

First, in Section II we explain the legal framework that unequivocally prohibits ineligible people from voting. This regime is an overlapping array of federal criminal statutes and immigration laws that criminalize and deter illegal voting and voter registration. The essay discusses how state and federal election security provisions create a multi-layered series of checks that further strengthen those federal protections, including, for example, by state verification of voter identity through national databases.

The system of legal safeguards, while extensive, is not perfect. But as discussed in Section III the data shows it works extremely well: investigations and audits by state agencies, independent researchers, and media organizations show that there is only a miniscule amount of ineligible immigrants registering to vote, with an even smaller amount who actually vote. In sum: the data unequivocally demonstrates that this quantity of votes is so trivial that it has zero consequence in election outcomes.

Section IV covers the Second Big Lie, tracing Trump’s history of false claims about immigrants before summarizing how his allies have followed suit. We then discuss related legislative initiatives intended to silence voters and how they may disparately impact minority voting groups.

Finally, Section V offers a range of solutions, including legislation, media and public information, voter outreach, legal avenues and other approaches. In proposing actionable solutions to combat disinformation about ineligible voters, this essay seeks to provide templates to push back against this false and dangerous narrative. In so doing, we aim to help safeguard confidence in this election cycle and in those to come.

II. The Law on Voting Eligibility by Citizenship

The law on citizenship requirements for voting is unequivocal: only United States citizens are eligible to vote in federal and state elections.¹ Voting eligibility requirements are determined by state law, in accordance with the U.S. Constitution, particularly the Equal Protection Clauses of the 14th the 15th Amendments, which prevent discrimination against any class of citizen. And all states, in their constitutions and their legal codes, prohibit noncitizens from voting in federal elections—just as they have for the last hundred years.²

This section discusses three mechanisms that prevent ineligible people from voting: (1) federal criminal statutes;³ (2) immigration law deterrence,⁴ and (3) other federal and state-level measures.⁵

A. Federal Criminal Statutes

There are multiple federal criminal statutes that create citizenship requirements for voting and other broader statutes that could be used to prosecute violations.

¹ Noncitizen voting is permitted in a small number of local elections in three states. As of September 2024, certain jurisdictions in California, Maryland, and Vermont, permit noncitizen voting in local elections only, as does the District of Columbia. *Laws permitting noncitizens to vote in the United States*, BALLOTPEDIA (last visited October 28, 2024), https://ballotpedia.org/Laws_permitting_noncitizens_to_vote_in_the_United_States.

² RON HAYDUK, DEMOCRACY FOR ALL: RESTORING IMMIGRANT VOTING RIGHTS IN THE UNITED STATES, THE RISE AND FALL OF IMMIGRANT VOTING IN U.S. HISTORY: 1776 TO 1926 15, 35 (Routledge Taylor & Francis Group eds., 2006), https://www.nypl.org/sites/default/files/hayduk_-_chapter_2.pdf; Virginia Harper-Ho, *Noncitizen Voting Rights: The History, the Law and Current Prospects for Change*, 18 Minn. J. of Law & Inequality 271, 282 (2000); Arturo Castellanos Canales, *The Right of Suffrage of Shosics (Noncitizens) in the United States* (2020) (Ph.D. dissertation, Cornell University) (on file with Cornell University Library), <https://ecommons.cornell.edu/items/aba4ef6d-6d02-4224-934f-231f3e010575>.

³ See, e.g., 18 U.S.C. § 611, 18 U.S.C. § 1015(f); 52 U.S.C. § 211444(b); 52 U.S.C. §§ 20511(2).

⁴ See 8 U.S.C. § 1182(a)(10)(D)(i).

⁵ See Section II.C.

In 1996, the U.S. Congress passed the Illegal Immigration Reform and Immigrant Responsibility Act (“IIRIRA”), which, in relevant part, creates citizenship requirements for voting in federal elections. [18 U.S.C. § 611](#). Violation of this provision is a general intent crime: that is, while the offender must know that they are not a U.S. citizen, they need not know that their voting is illegal.⁶ A violation is a Class A misdemeanor, punishable by a fine of up to \$100,000, one year in prison, or both.⁷

The IIRIRA also criminalizes knowingly making false statements of citizenship in order to vote or register to vote. [18 U.S.C. § 1015\(f\)](#). Unlike Section 611, Section 1015(f) is directed at the act of the misrepresentation, rather than the act of voting, and it applies to all elections—federal, state, and local—as well as to initiative, recalls, and referenda. Section 1015(f) is a specific intent offense, meaning the offender must know their actions were illegal.⁸ Prosecutorial guidance from the Department of Justice explains, “all states (but not all local jurisdictions) require United States citizenship as a prerequisite for voting; and, under the NVRA, all states must make this citizenship requirement clear, and prospective registrants must sign applications under penalty of perjury attesting that they meet this requirement.”⁹ Therefore, false representations of citizenship in any state in connection with voting can be demonstrated as willful in violation of Section 1015(f). A violation is a felony, punishable by a fine of up to \$250,000, five years in prison, or both.¹⁰

In 2002 Congress reiterated its clear intention to prohibit false statements or claims of U.S. citizenship in connection with voting as prohibited by Section 1015(f). The Help America Vote Act (“HAVA”) specifies that, “Any individual who knowingly commits fraud or knowingly makes a false statement with respect to the naturalization, citizenry, or alien registry of such individual in violation of section 1015 of Title 18 shall be fined or imprisoned, or both, in accordance with such section.” [52 U.S.C. § 211444\(b\)](#).

Another applicable federal statute that helps ensure citizen requirements for voting is the National Voter Registration Act of 1993 (“NVRA”). [52 U.S.C. §§ 20511\(2\)](#). Passed three years before the IIRIRA, the NVRA prohibits the submission of voter registration applications, or casting of ballots, that are known to be materially false, fictitious, or fraudulent under state law.¹¹ Like Section 1015 of the HAVA, Section 20511 of the NVRA targets false statements made in connection with voting or registering to vote. Section 20155 compliments the narrower Section 1015 by encompassing any false statement, not just false claims of citizenship. A violation of Section 20511(2) is a felony,

⁶ Section 611 offers an exception if “the alien reasonably believed at the time of voting in violation of such subsection that he or she was a citizen of the United States.” 18 USC 611(c)(3). U.S. DEPT OF JUSTICE, FEDERAL PROSECUTION OF ELECTION OFFENSES 63 (Richard C. Pilger ed., 8th ed. 2017), <https://www.justice.gov/criminal/file/1029066/download>.

⁷ 18 U.S.C. § 3571(b)(5).

⁸ U.S. DEPT OF JUSTICE, *supra* note 6, at 61. *See also* 18 U.S.C. § 1015(f).

⁹ U.S. DEPT OF JUSTICE, *supra* note 6, at 63.

¹⁰ 18 U.S.C. §§ 3571, [1015\(f\)](#).

¹¹ U.S. DEPT OF JUSTICE, *supra* note 6, at 61–62.

punishable by a fine of up to \$250,000, five years in prison, or both.¹² Additionally, the NVRA allows the Department of Justice’s Voting Section of the Civil Rights Division, or even a private citizen, to bring a civil action for declaratory or injunctive relief to enforce its provisions. [52 U.S.C. § 20510](#).

Another complimentary statute to Section 1015(f) is [18 U.S.C. § 911](#), which makes it a crime to knowingly and willfully make a false assertion of U.S. citizenship. Unlike Section 1015(f), Section 911 does not require the false claim of citizenship to be made in order to vote or to register to vote. Rather, it is a broader statute that prohibits false statements of citizenship made willfully, that is with knowledge that the conduct is illegal. For example, it criminalizes statements of citizenship with regard to obtaining a driver’s license that is not directly connected with voting or voter registration. A violation of Section 911 is a felony, punishable by a fine of up to \$250,000 three years in prison, or both.¹³

Section 11(c) of the Voting Rights Act of 1965 (VRA) provides further protection by prohibiting knowingly or willfully giving false information—namely, name, address, and period of residence in the voting district—for the purpose of establishing voting eligibility, conspiring to encourage falsifying voter registration information or illegal voting, or paying/accepting payment for voting. [52 U.S.C. § 10307\(c\)](#). Section 10307(c) expands the prohibitions in Section 1015(f) against false statements regarding *citizenship* to any false information in order to establish voting eligibility. Section 10307(c) applies only to federal elections, but it covers conspiring with others to encourage false registration or voting. A violation of Section 10307(c) is a felony, punishable by a fine of up to \$10,000, five years in prison, or both.¹⁴

Lastly, [18 U.S.C. § 1001](#) is a broad federal statute that criminalizes making false statements or concealing information in any matter within the jurisdiction of the federal government. In the context of elections, making a false statement regarding voter registration (such as falsifying citizenship status) could fall under this statute if the false statement is material and the registration is connected to a federal election. Violations of this statute can result in fines, imprisonment for up to five years, or both.¹⁵

B. Immigration Law Deterrence

In addition to the various criminal statutes, several stringent federal legal provisions help ensure that only citizens vote. These laws, under the Immigration and Nationality Act (INA), carry serious implications for individuals who violate them—up to and including deportation.¹⁶ The strictness of

¹² 18 U.S.C. §§ 3571, 20511, 1015(f).

¹³ 18 U.S.C. §§ 3571, 911.

¹⁴ [52 U.S.C. § 10307\(c\)](#).

¹⁵ 18 U.S.C. § 1001.

¹⁶ Violations can also result in harm to visa applications and immigration status, and can potentially stop naturalization efforts.

these laws is evident in their application, where a noncitizen’s lack of knowledge about the unlawfulness of their actions is not necessarily a defense.

The Immigration and Nationality Act (INA) renders noncitizens “inadmissible” if they vote in elections in violation of the law, meaning they become ineligible for visas or entry into the United States. [8 U.S.C. § 1182\(a\)\(10\)\(D\)\(i\)](#). While Section 1182 seems to only apply to those who have actually voted (in violation of Section 611), guidance from the United States Citizenship and Immigration Services (USCIS) makes clear that false claims to citizenship in order to vote under 1015(f) may also lead to inadmissibility.¹⁷ Section 1182 does not require a person to be convicted of the criminal offense, nor is evidence of a crime required.¹⁸ The triggering clause is simply that the person voted illegally: which means someone ineligible who votes but does not commit a crime because they did so without the predicate knowledge or willfulness can still be found in violation of Section 1182—and thus deemed ineligible for entry into the United States.

The INA permits deportation of those who vote in violation of federal or state law. [8 U.S.C. § 1227\(a\)\(6\)\(A\)](#). This provision applies to those who have actually voted and to those who have made false claims of citizenship in order to vote.¹⁹

C. Election Integrity Safeguards

Federal law includes several measures that safeguard our elections, including by ensuring citizenship requirements for voting, such as the National Voter Registration Act of 1993 and the Help America Vote Act of 2002. The NVRA and HAVA provide the foundational framework for election integrity, and are bolstered by a series of state-led initiatives and state-specific protections—including, for instance, supplemental verification procedures in some states, and additional cross-state collaborations, all of which enhance the security of their voter registration systems.

As outlined by the National Council of State Legislatures, states verify voter identities by cross-referencing federal databases, such as the Social Security Administration and the U.S. Postal Service’s National Change of Address system, with state databases like those in departments of motor vehicles records (which include daily updates in some states like Colorado), and vital statistics or health departments records. At least nine states cross-check voter lists with those who requested jury dismissal due to noncitizen status, including Arizona, Georgia, North Carolina, and Texas.²⁰

¹⁷ *Policy Manual*, U.S. CITIZENSHIP AND IMMIGRATION SERVICES, <https://www.uscis.gov/policy-manual/volume-8-part-k-chapter-2> (last visited Oct. 30, 2024).

¹⁸ 8 U.S.C. § 1182.

¹⁹ 8 U.S.C. § 1227(a)(6)(A), (a)(3)(D)(i).

²⁰ NCSL, *Voter Registration List Maintenance*,

<https://www.ncsl.org/elections-and-campaigns/voter-registration-list-maintenance> (last updated Oct. 1, 2024); see also Voting Rights Lab, *The Truth about False Claims of Noncitizen Voting* (March 13, 2024), <https://votingrightslab.org/2024/03/13/analysis-the-truth-about-false-claims-of-noncitizen-voting/>; Julianne

Twenty-four states and the District of Columbia participate in the Electronic Registration Information Center (“ERIC”), a collaborative digital infrastructure that allows state officials to cross-check and compare voter rolls across state lines, helping ensure that voter lists are accurate, up-to-date, and free of duplicates.²¹ Meanwhile, states like Virginia and Mississippi utilize information from the federal Systematic Alien Verification for Entitlements Program (the “SAVE Program”),²² while Tennessee draws on data collected by its statewide Department of Safety and Homeland Security.²³

This is a very robust system that includes repeated checks to ensure that only eligible Americans are registering or managing to vote. As USCIS has emphasized, applications for driver’s licenses, ID cards, or other benefits, which allow voter registration, typically include explicit citizenship questions and warnings advising noncitizens not to register, as do voter registration forms. USCIS is unequivocal in this respect: “Because of these safeguards, ineligible voters are generally not registered to vote.”²⁴

1. The National Voter Registration Act of 1993

In 1993, Congress passed the NVRA, a major piece of civil rights legislation to combat “discriminatory and unfair registration laws” that harm Black and Brown communities by increasing, “the number of eligible citizens” registered for federal elections, while ensuring that federal, state, and local governments implement procedures to “enhance participation,” “protect the integrity of the electoral process,” and to maintain “accurate and current” voter rolls.²⁵

In addition to combatting laws making it harder for Black and Brown Americans to register to vote, the NVRA also helps ensure that only eligible citizens can register to vote in federal elections.²⁶ It

Lempert et al., *Five Things to Know About the SAVE Act*, Bipartisan Policy Center (July 10, 2024), <https://bipartisanpolicy.org/blog/five-things-to-know-about-the-save-act/>.

²¹ *Membership in Electronic Registration Information Center (ERIC)*, MOVEMENT ADVANCEMENT PROJECT, https://www.mapresearch.org/democracy-maps/membership_in_electronic_registration_information_center_eric (last updated Oct. 17, 2024).

²² Va. Dep’t of Elections, *Annual List Maintenance Report September 1, 2023 – August 31, 2024* at 4, <https://www.elections.virginia.gov/media/formwarehouse/maintenance-reports/2024-Annual-List-Maintenance-Report.pdf>; see also Va. Dep’t of Elections, *List Maintenance Sources and Processing Frequency*, <https://www.brennancenter.org/sites/default/files/2024-02/VAlistmaintenance.pdf>; https://www.driverservicebureau.dps.ms.gov/Security/Non_US_Status_Verification.

²³ Tenn. Gen. Assembly, HB 0385 (Tn. 2024), <https://wapp.capitol.tn.gov/apps/BillInfo/default.aspx?BillNumber=HB0835&GA=113>.

²⁴ *Policy Manual*, U.S. CITIZENSHIP AND IMMIGRATION SERVICES, <https://www.uscis.gov/policy-manual/volume-12-part-f-chapter-5> (last visited Oct. 29, 2024).

²⁵ 52 U.S.C. § 20501.

²⁶ *Id.*

limits methods of identification for registering to vote,²⁷ requires states to make clear to all voters the eligibility requirements and the penalties for submitting false voter registration applications,²⁸ and mandates that states complete a systematic removal of ineligible voters from the official voter rolls no later than 90 days prior to the primary election or general election for federal office.²⁹ The NVRA empowers the Department of Justice to monitor states' compliance with its requirements and conduct investigations in instances of suspected noncompliance.³⁰

2. The Help America Vote Act of 2002

The HAVA includes provisions for maintaining accurate voter rolls and removing ineligible voters by introducing measures aimed at improving the accuracy of voter registration systems.³¹ The HAVA also requires states to maintain centralized voter registration databases (VRDBs), which are designed to streamline list maintenance efforts and remove ineligible voters.³² This includes, for instance, requiring voters to provide a valid driver's license or the last four digits of their Social Security number when registering to vote—and those without such identification, are assigned a unique identifier.³³ The HAVA also mandates that states cross-check voter registration data with other state and federal databases to confirm eligibility, such as matching records with the Social Security Administration and state motor vehicle agencies. Furthermore, the law introduced stricter documentation requirements for first-time voters who register by mail, helping to prevent fraudulent registrations.³⁴

Like with the NVRA, the Department of Justice is tasked with enforcing the HAVA's federal requirements by bringing civil suits for violations.³⁵ And, as noted above, the HAVA also grants private citizens the ability to seek redress for violations.³⁶

3. The Real ID Act of 2005

As part of its ongoing effort to secure American elections, Congress passed the Real ID Act of 2005, which compliments the NVRA and HAVA by establishing minimum security standards for state-issued identification, such as driver's licenses and ID cards. For instance, one of its key

²⁷ 52 U.S.C. § 20503(a). *See also* 52 U.S.C. § 20504 - Simultaneous application for voter registration and application for motor vehicle driver's license.

²⁸ 52 U.S.C. § 20507(a)(5).

²⁹ *Id.* at § 20507(c)(2)(A).

³⁰ *See generally The National Voter Registration Act Of 1993 (NVRA)*, CIVIL RIGHTS DIVISION, U.S. DEPT OF JUSTICE, <https://www.justice.gov/crt/national-voter-registration-act-1993-nvra> (last updated Aug. 13, 2024).

³¹ *See generally The Help America Vote Act of 2002 (HAVA): An Overview*, CONGRESSIONAL RESEARCH SERVICE, <https://sgp.fas.org/crs/misc/IF12033.pdf> (last updated Sept. 28, 2022).

³² *Id.*

³³ *Id.*

³⁴ *Id.*

³⁵ 52 U.S.C. § 21111.

³⁶ 52 U.S.C. § 21112.

provisions mandates states verify an individual's immigration or citizenship status before issuing a Real ID-compliant identification card.³⁷ This verification process helps prevent noncitizens from obtaining the types of identification needed for voter registration, adding an extra layer of security against a noncitizen who tries to use fraudulent documentation to register to vote.

III. The Data: Only Eligible Americans Vote

Of the billions of votes cast in United States federal elections over the past decades, those supposedly cast in violation of citizenship requirements have accounted for a negligible percentage, one that is nearly unquantifiably small.³⁸ Countless state-led reviews, independent analyses, and media investigations have all pointed to that same conclusion.³⁹ This isn't rhetoric; it's data—data that is extremely robust, has repeatedly survived peer review, and has been collected and analyzed over decades by a wide variety of institutions. By way of introduction: a 2017 report by the Brennan Center found an estimated 30 incidents out of 23.5 million votes cast across 42 jurisdictions, a microscopic thirteen hundred-thousandths of a percent (1.3 out of one million).⁴⁰ In 2020, the libertarian think tank Cato Institute concluded that “Noncitizens don't illegally vote in detectable numbers.”⁴¹ “[T]here is no good evidence that noncitizens voted illegally in large enough numbers to actually shift the outcome of elections or even change the number of electoral votes.”⁴²

So why are we discussing this clear fabrication, completely divorced from reality? Because Republicans have spent years making preposterous claims about alleged voter fraud, often without a shred of evidence. For instance: shortly after the 2016 election, then-President-elect Trump alleged,

³⁷ *REAL ID Frequently Asked Questions*, U.S. DEPT OF HOMELAND SEC., <https://www.dhs.gov/real-id/real-id-faqs> (last updated Aug. 1, 2024).

³⁸ For instance, in 2016 voter fraud amounted to two hundred thousandths of a percent of total votes cast. Phillip Bump, *There have been just 4 documented cases of voter fraud in the 2016 election*, WASH. POST (Dec. 1, 2016, 9:54 AM), <https://www.washingtonpost.com/news/the-fix/wp/2016/12/01/0-000002-percent-of-all-the-ballots-cast-in-the-2016-election-were-fraudulent/>.

³⁹ *Noncitizen Voting is Vanishingly Rare*, BRENNAN CTR. FOR JUST., <https://www.brennancenter.org/our-work/research-reports/noncitizen-voting-vanishingly-rare> (last updated Sept. 17, 2024); *Noncitizen Voting Isn't Affecting State or Federal Elections — Here's Why*, BRENNAN CTR. FOR JUST. (Apr. 12, 2024), <https://www.brennancenter.org/our-work/analysis-opinion/noncitizens-are-not-voting-federal-or-state-elections-heres-why>; *Resources on Voter Fraud Claims*, BRENNAN CTR. FOR JUST. (June 26, 2017), <https://www.brennancenter.org/our-work/research-reports/resources-voter-fraud-claims>.

⁴⁰ CHRISTOPHER FAMIGHETTI ET AL., *NONCITIZEN VOTING: THE MISSING MILLIONS*, BRENNAN CTR. FOR JUST. 1 (2017), <https://www.brennancenter.org/our-work/research-reports/noncitizen-voting-missing-millions>.

⁴¹ Alex Nowrasteh, *Noncitizens Don't Illegally Vote in Detectable Numbers*, CATO INSTITUTE (Nov. 25, 2020, 11:52 AM), <https://www.cato.org/blog/noncitizens-dont-illegally-vote-detectable-numbers>.

⁴² *Id.*

without evidence, that millions voted in violation of citizenship requirements.⁴³ Unsurprisingly, Republicans quickly fell in line, repeating variations of this falsity. Then in 2019 Republicans officials in Texas announced that up to 58,000 voted illegally in state elections, but the evidence did not support those claims.⁴⁴ In the past several years, MAGA Republicans have continued to promote these racist fabrications.⁴⁵ And while the data, including that compiled by conservative sources, belies their false claims, their rhetoric continues.

The reality is that the data have never supported this fabrication. For example, a 2007 analysis found only 14 convictions of ineligible immigrants for voting between 2002 and 2005 under the Department of Justice's initiative to investigate voting irregularities.⁴⁶ Similarly, a Brennan Center survey from the same year that highlighted exaggerated and baseless claims of ineligible immigrant voting concluded that such baseless allegations far outnumber actual instances.⁴⁷ A 2005 investigation into 1,668 Washington state voters with “foreign-sounding names,” found no noncitizens among them; a 2000 investigation into 553 Hawaiians suspected of being improperly registered immigrants showed none of them had voted; and a 2001 review of 370,000 Milwaukee voting records uncovered just four instances of naturalized individuals voting before their naturalization date. In Milwaukee, even if all allegations were accurate—which they were not—the Brennan Center pointed out that such ineligible voters would *still* have accounted for a tiny fraction of a percent (0.001 %) of the vote in that jurisdiction.

This trend continued during the few years before Trump was elected. In 2012, a News21 investigation found only 56 cases of ineligible immigrants voting across all 50 states between 2000 and 2012.⁴⁸ In 2015, researchers refuted a 2014 study that claimed 6.4 percent and 2.2 percent of ineligible immigrants voted in the 2008 and 2010 elections, respectively.⁴⁹ The authors concluded

⁴³ Claims of noncitizen voting predated Trump. For example, in 2012 in Florida, a list of supposedly 180,000 noncitizen voters led to 85 people being removed from the voter rolls. In 2014, North Carolina leaders said more than 10,000 suspected noncitizens were registered in the state, but it was later determined that only 11 noncitizens voted. Amy Gardner, *Inaccurate claims of noncitizen voting in Texas reflect a growing trend in Republican states*, WASH. POST (Feb. 6, 2019, 7:18 PM), https://www.washingtonpost.com/politics/inaccurate-claims-of-noncitizen-voting-in-texas-reflect-a-growing-trend-in-republican-states/2019/02/06/af376fb0-2994-11e9-b011-d8500644dc98_story.html.

⁴⁴ *Id.*

⁴⁵ Kira Lerner, *Republicans lead charge to ban noncitizens from voting in local elections*, THE GUARDIAN (Dec. 22, 2022, 6:00 AM), <https://www.theguardian.com/us-news/2022/dec/22/republicans-noncitizen-voting-ban-local-elections>.

⁴⁶ LORRAINE MINNITE, THE POLITICS OF VOTER FRAUD 3 (2007), https://www.projectvote.org/wp-content/uploads/2007/03/Politics_of_Voter_Fraud_Final.pdf.

⁴⁷ JUSTIN LEVITT, THE TRUTH ABOUT VOTER FRAUD (2007), <https://www.brennancenter.org/our-work/research-reports/truth-about-voter-fraud>.

⁴⁸ Natasha Khan & Corbin Carson, *Comprehensive Database of U.S. Voter Fraud Uncovers No Evidence That Photo ID Is Needed*, NEWS 21 (Aug. 12, 2012), <https://votingrights.news21.com/article/election-fraud/>.

⁴⁹ Stephen Ansolabehere et al., *The perils of cherry picking low frequency events in large sample surveys*, 40 Electoral Stud., 409–10 (2015),

that “the likely percent of noncitizen voters in recent US elections is 0.” In 2016, the Brennan Center surveyed election officials from 42 jurisdictions, who collectively oversaw the tabulation of approximately 23.5 million votes in the 2016 general election.⁵⁰ The research found that these officials referred only around 30 incidents for further investigation or prosecution, resulting in a noncitizen voting rate of just one ten-thousandth of one percent (one millionth)—less than one in one million.

Studies conducted after the 2016 election yielded the same conclusion. A 2016 working paper by three scholars at Dartmouth College thoroughly debunked Donald Trump’s claims of widespread voter fraud in the 2016 general election, particularly focused on ineligible immigrant voting and state-specific accusations in California, New Hampshire, and Virginia.⁵¹ By analyzing county-level election data, the researchers found “little evidence consistent with widespread and systematic fraud fomented by noncitizens.” While they acknowledge that some level of electoral error or fraud may exist, the study emphasizes that Trump’s expansive claims about millions of illegal votes lack observable support in the election results.

Investigations by media and state organizations have independently reached the same conclusions as the academic research. Following the 2016 election, the *New York Times* conducted a survey of election and law enforcement officials across 49 states and the District of Columbia. They identified only two potential cases of ineligible immigrant voting out of the 137.7 million ballots cast nationwide.⁵² A *Washington Post* survey of reports from the news-aggregation system database identified just four confirmed cases of voter fraud but no evidence of ineligible immigrants voting.⁵³

State-led reviews across the country have similarly established that such voting is extremely rare and statistically insignificant. Audits and investigations conducted by state and local governments in eight

<https://www.sciencedirect.com/science/article/abs/pii/S0261379415001420?via%3Dihub>. One of the authors criticized Richman’s study further in an article for POLITICO. “As a member of the team that produces the datasets upon which that study was based ... I can say unequivocally that this research is not only wrong, it is irresponsible social science and should never have been published in the first place. There is no evidence that noncitizens have voted in recent U.S. elections.” Brian Schaffner, *Trump’s Claims About Illegal Votes Are Nonsense. I Debunked the Study He Cites as ‘Evidence.’*, POLITICO (Nov. 29, 2016) <https://www.politico.com/magazine/story/2016/11/donald-trump-illegal-votes-evidence-debunked-214487/>.

⁵⁰ Famighetti et al., *supra* note 40, at 1.

⁵¹ David Cottrell et al., *An exploration of Donald Trump’s allegations of massive voter fraud in the 2016 General Election*, 51 *Electoral Stud.* 123–142 (2018), <https://doi.org/10.1016/j.electstud.2017.09.002>.

⁵² Michael Wines, *All This Talk of Voter Fraud? Across U.S., Officials Found Next to None*, N.Y. TIMES (Dec. 18, 2016), https://www.nytimes.com/2016/12/18/us/voter-fraud.html?_r=0.

⁵³ Bump, *supra* note 38.

states between 2010 and 2013, including frequent battleground states of Florida, Michigan, and North Carolina, found minimal if any evidence of noncitizen voting.⁵⁴

State audits after the 2016 and 2020 elections tell the same story. For example, the Ohio secretary of state (a Republican) determined that 82 noncitizens had voted in the 2016 election out of 5.6 million votes cast.⁵⁵ After the 2020 election, Ohio identified 13 instances out of nearly 6 million total votes, leading the secretary of state (a different Republican) to acknowledge, “voting fraud is exceedingly rare.”⁵⁶

When Texas made headlines in 2019, claiming to have identified nearly 100,000 voters as possible noncitizens,⁵⁷ it turned out that its “review” had flagged many individuals that were, in fact, *naturalized* citizens, leading a federal court to admonish then-acting Texas Secretary of State David Whitley.⁵⁸ In fact, the review was so bad that Whitley rescinded the advisory after losing three lawsuits filed by Texas LULAC,⁵⁹ and ultimately was forced to resign following allegations that he wrongfully targeted naturalized citizens in an effort to remove them from Texas’ voting rolls.⁶⁰

In 2022, Georgia’s secretary of state conducted a citizenship review of voter rolls between 1997 and 2022, flagging 1,634 voter registration applicants whose citizenship could not initially be verified.

⁵⁴ *Noncitizen Voting is Vanishingly Rare*, BRENNAN CTR. FOR JUST., <https://www.brennancenter.org/our-work/research-reports/noncitizen-voting-vanishingly-rare> (last updated Sept. 17, 2024).

⁵⁵ Josh Sweigart, *State: More than 100 non-citizens have voted in Ohio*, DAYTON DAILY NEWS (Feb. 27, 2017), [State: More than 100 noncitizens have voted in Ohio](https://www.daytondailynews.com) (daytondailynews.com); *Voter Turnout in General Elections*, FRANK LAROSE OHIO SEC’Y OF STATE, <https://www.ohiosos.gov/elections/election-results-and-data/historical-election-comparisons/voter-turnout-in-general-elections/> (last visited Oct. 30, 2024).

⁵⁶ Jim Provance, *13 suspected noncitizens voted in 2020 Ohio elections*, THE BLADE (July 12, 2021, 4:25 PM), <https://www.toledoblade.com/local/politics/2021/07/12/13-suspected-non-citizens-voted-in-2020-ohio-elections/stories/20210712127>; *Voter Turnout in General Elections*, FRANK LAROSE OHIO SEC. OF STATE, <https://www.ohiosos.gov/elections/election-results-and-data/historical-election-comparisons/voter-turnout-in-general-elections/> (last visited Oct. 30, 2024).

⁵⁷ Liam Stack, *Texas Secretary of State Questions Citizenship of 95,000 Registered Voters*, N.Y. TIMES (Jan. 25, 2019), <https://www.nytimes.com/2019/01/25/us/noncitizens-voting-texas.html>.

⁵⁸ Reis Thebault, *Judge blocks GOP effort to purge voting rolls in Texas, saying it is ‘ham-handed’ and ‘threatening’*, WASH. POST (Feb. 27, 2019, 10:42 PM), <https://www.washingtonpost.com/politics/2019/02/28/judge-blocks-gop-effort-purge-voting-rolls-texas-saying-it-is-ham-handed-threatening/>.

⁵⁹ Settlement Agreement, *Tex. League of United Latin American Citizens v. Whitley et al.* (2019), No. SA-19-CA-074-FB, https://www.aclutx.org/sites/default/files/4-25-10_voter_purge_settlement_agreement.pdf; *see also* Liam Stack, *Texas Ends Review That Questioned Citizenship of Almost 100,000 Voters*, N.Y. TIMES (Apr. 26, 2019), <https://www.nytimes.com/2019/04/26/us/texas-voting.html>; Press Release, ACLU, Settlement Reached to End Texas Voter Purge and Protect Voting Rights (Apr. 26, 2019) (on file with author), <https://www.aclu.org/press-releases/settlement-reached-end-texas-voter-purge-and-protect-voting-rights>

⁶⁰ Ashley Lopez, *Texas Voting Chief Who Led Botched Voter Purge Resigns*, NPR (May 28, 2019, 2:01 PM), <https://www.npr.org/2019/05/28/727528998/texas-voting-chief-who-led-botched-voter-purge-resigns>.

However, additional screening revealed that none of these individuals had actually voted.⁶¹ According to Georgia Secretary of State Brad Raffensperger, “None of the noncitizens were allowed to register to vote.”⁶² As Raffensperger later explained, “Noncitizens are not voting in Georgia.”⁶³ A 2024 audit revealed 20 registered out of 8.2 million registered voters, approximately two ten-thousandths of a percent.⁶⁴ The audit showed just nine of those citizens cast ballots, votes that occurred several years before ID verification checks were in place.

Three states and the District of Columbia permit noncitizen voting in local elections—but the data shows that they rarely do. As the Cato Institute wrote in 2024, “Ironically, noncitizens in America show very little propensity to register or vote even in the handful of progressive jurisdictions that have given them the franchise in races for local offices, such as city council and school board.”⁶⁵ The Cato Institute explained, “If any sampling of noncitizens should be favorably disposed toward use of the ballot box it should be that in Washington, DC, which abounds in educated persons born overseas who have lived in the US for many years.” But despite there being over 100,000 foreign-born DC residents, fewer than 500—less than one half of one percent—are registered to vote.⁶⁶ Data from the three states with municipalities that permit noncitizen voting in local elections show extremely small numbers of votes. In Vermont’s March 2024 local elections, a total of 86 noncitizens voted across three counties.⁶⁷ In Maryland’s Tacoma Park elections in 2017, only 72 out of 347 registered noncitizens voted.⁶⁸ And in San Francisco’s local 2020 election, only 31 noncitizens voted out of nearly 450,000 total votes.⁶⁹

⁶¹ *Citizenship Audit Finds 1,634 Noncitizens Attempted to Register to Vote*, GA. SEC’Y OF STATE BRAD RAFFENSPERGER (Mar. 28, 2022),

<https://sos.ga.gov/news/citizenship-audit-finds-1634-noncitizens-attempted-register-vote>.

⁶² *Secretary Raffensperger Refers 1,600 Noncitizen Registrants to Local DAs, GBI, State Election Board*<https://sos.ga.gov/news/secretary-raffensperger-refers-1600-noncitizen-registrants-local-das-gbi-state-election-board>, GA. SEC’Y OF STATE BRAD RAFFENSPERGER (Apr. 11, 2022),

<https://sos.ga.gov/news/secretary-raffensperger-refers-1600-noncitizen-registrants-local-das-gbi-state-election-board>.

⁶³ Miles Parks, *Conservatives are warning about noncitizens voting. It’s a myth with a long history*, NPR (Mar. 13, 2024, 5:00 AM), <https://www.npr.org/2024/03/13/1238102501/noncitizen-voting-immigration-conspiracy-theory>.

⁶⁴ Mark Niese, *8.2M people can vote in Georgia. The state says it found 20 non-U.S. citizens who registered*, AJC: AJC POLITICS (Oct. 23, 2024), <https://www.ajc.com/politics/election-audit-shows-20-noncitizens-registered-to-vote-in-georgia/NRORAL7Z3RDSNMQ3QDLVEARPSY>.

⁶⁵ Walter Olson, *Shedding Light on the Incidence of Illegal Noncitizen Voting*, CATO INSTITUTE: CATO AT LIBERTY (May 22, 2024, 5:09 PM),

<https://www.cato.org/blog/shedding-light-incidence-illegal-noncitizen-voting>.

⁶⁶ *Id.*

⁶⁷ Matt Vasilogambros, *Though noncitizens can vote in few local elections, GOP goes big to make it illegal*, ALABAMA REFLECTOR (May 6, 2024, 11:01 AM),

<https://alabamareflector.com/2024/05/06/though-noncitizens-can-vote-in-few-local-elections-gop-goes-big-to-make-it-illegal/>.

⁶⁸ *Id.*

⁶⁹ *Id.*; *November 3, 2020 Final Election Results*, SF ELECTIONS, <https://sfelections.org/results/20201103w/index.html>.

IV. La Gran Mentira: Ineligible Immigrant Voting

A. Trump Leads the Way

The 2024 election's Second Big Lie of ineligible immigrant voting is rooted in Trump's and his MAGA movement's broader embrace of racist conspiracy theories and anti-immigrant rhetoric, a pattern that he began to perpetuate long before he ran for president. He infamously amplified the so-called "birther conspiracy" that President Obama was not born in the United States, bringing mainstream attention to a baseless attack that previously had been limited mostly to the extremist fringe.⁷⁰ When he launched his 2016 presidential campaign he attacked Mexican immigrants as "criminals" and "rapists."⁷¹ And, throughout his campaign, and later his presidency, he repeatedly pushed the "great replacement theory," a white-nationalist and white-supremacist conspiracy theory that immigration policies are a "plot designed to undermine or 'replace' the political power and culture of white people living in Western countries."⁷² Since rising to political prominence, Trump has consistently and repeatedly made derogatory remarks about foreigners and immigrants, regardless of citizenship status: from his Muslim ban, to ridiculing "shithole countries," to attacks on refugees—as well as his more recent claim that Haitian immigrants in Springfield, Ohio are eating pet dogs and cats.⁷³

His falsehoods about immigrant voting are another permutation of his xenophobic rhetoric. And they are not just recent. In October 2014, Trump posted on Twitter, "[e]lection officials [were] saying that there is nothing stopping illegal immigrants from voting. This is very bad (unfair) for Republicans!"⁷⁴ While campaigning in 2016, Trump alleged that ineligible immigrant voting allowed Obama to win North Carolina in 2008, misrepresenting a Washington Post report.⁷⁵

Shortly after winning the 2016 election, Trump was repeating and intensifying his false claims. On November 27, 2016, Trump tweeted: "In addition to winning the Electoral College in a landslide, I won the popular vote if you deduct the millions of people who voted illegally."⁷⁶ After taking office in January 2017, Trump claimed he would have won the popular vote in the 2016 election if 3 to 5

⁷⁰ Michael Barbaro, *Donald Trump Clung to 'Birther' Lie for Years, and Still Isn't Apologetic*, N.Y. TIMES (Sept. 16, 2019), <https://www.nytimes.com/2016/09/17/us/politics/donald-trump-obama-birther.html>.

⁷¹ Michelle Ye Hee Lee, *Donald Trump's false comments connecting Mexican immigrants and crime*, WASH. POST (July 8, 2015), <https://www.washingtonpost.com/news/fact-checker/wp/2015/07/08/donald-trumps-false-comments-connecting-mexican-immigrants-and-crime/>.

⁷² NATIONAL IMMIGRATION FORUM, THE 'GREAT REPLACEMENT' THEORY EXPLAINED 1 (2021) <https://immigrationforum.org/wp-content/uploads/2021/12/Replacement-Theory-Explainer-1122.pdf>.

⁷³ Merlyn Thomas & Mike Wendling, *Trump repeats baseless claim about Haitian immigrants eating pets*, BBC (Sept. 15, 2024), <https://www.bbc.com/news/articles/c77128myezko>.

⁷⁴ Donald J. Trump (@realDonaldTrump), TWITTER (Oct. 31, 2014, 4:43 PM), <https://x.com/realdonaldtrump/status/528286220418564096>

⁷⁵ [Trump says non-citizen votes may have been responsible for Obama's 2008 victory in North Carolina](#)

⁷⁶ Trump, *supra* note 80.

million undocumented immigrants had not voted, offering no evidence for his assertion.⁷⁷ That same month, he tweeted, “I will be asking for a major investigation into VOTER FRAUD, including those registered to vote in two states, those who are illegal and...” “even those registered to vote who are dead (and many for a long time).”⁷⁸

The Trump Administration doubled-down on Trump’s false claims. In January 2017, Press Secretary Sean Spicer was asked what evidence the president had to support his assertions—and while initially Spicer responded only that it was based on unidentified “studies and evidence people have presented to him,” when pressed, he said, “I think there’s been studies. There’s one that came out of Pew in 2008 that showed 14 percent of people who voted were noncitizens. There’s other studies that have been presented to him. It’s a belief he maintains.”⁷⁹ As *FactCheck.org* later wrote, “It appears Spicer conflated two different studies,” both of which have been widely debunked....⁸⁰

In February 2017, Trump’s White House Senior Advisor Stephen Miller, appearing on ABC, claimed that “at a minimum” 14% of noncitizens were registered to vote, “according to academic research.” When pressed on evidence to support his claim, Miller failed to identify any but instead repeated the false talking point, saying that “noncitizen voting issues [are] pervasive and widespread....”⁸¹

⁷⁷ Michael D. Shear & Emmarie Huetteman, *Trump Repeats Lie About Popular Vote in Meeting With Lawmakers*, N.Y. TIMES (Jan. 23, 2017), <https://www.nytimes.com/2017/01/23/us/politics/donald-trump-congress-democrats.html>; Ken Thomas & Erica Werner, *Trump wrongly blames fraud for loss of popular vote*, AP (Jan. 23, 2017), <https://apnews.com/united-states-government-a79bb23654e7486a81f555b3bdc9bbc7>; Abby Phillip & Mike DeBonis, *Without evidence, Trump tells lawmakers 3 million to 5 million illegal ballots cost him the popular vote*, WASH. POST (Jan. 23, 8:05 PM), <https://www.washingtonpost.com/news/post-politics/wp/2017/01/23/at-white-house-trump-tells-congressional-leaders-3-5-million-illegal-ballots-cost-him-the-popular-vote/>.

⁷⁸ Donald J. Trump (@realDonaldTrump), TWITTER (Jan. 25, 2017, 7:10 AM), <https://x.com/realDonaldTrump/status/824227824903090176>.

⁷⁹ C-SPAN, *White House Daily Briefing* (Jan. 24, 2017), <https://www.c-span.org/video/?422623-1/sean-spicer-says-president-believes-voter-fraud-occurred-2016>

⁸⁰ Robert Farly, *Trump’s Bogus Voter Fraud Claims Revisited*, FACTCHECK.ORG (Jan. 25, 2017), <https://www.factcheck.org/2017/01/trumps-bogus-voter-fraud-claims-revisited>; Glenn Kessler, *The truth about noncitizen voting in federal elections*, WASH. POST (Mar. 6, 2024, 3:00 AM), <https://www.washingtonpost.com/politics/2024/03/06/truth-about-noncitizen-voting-federal-elections/>.

⁸¹ “*This Week’ transcript 2-12-17: Stephen Miller, Bob Ferguson, and Rep. Elijah Cummings*, ABC NEWS (Feb. 12, 2017, 9:38 AM), <https://abcnews.go.com/Politics/week-transcript-12-17-stephen-miller-bob-ferguson/story?id=45426805>; ABC News (@ABC), TWITTER (Feb. 12, 2017, 9:37 AM), <https://twitter.com/ABC/status/830787890309369856>.

Trump signed an executive order creating the “Presidential Advisory Commission on Election Integrity” in May 2017.⁸² The Commission was a complete failure, and in early 2018, Trump had it disbanded without having identified a single occurrence of an ineligible immigrant casting a vote.⁸³ Nevertheless, Trump continued to make these claims throughout the remainder of his term.

Following his 2020 loss to President Biden, Trump incorporated lies about ineligible immigrant voting into his broader conspiracy that the election was stolen. On Dec. 2, 2020, in a pre-recorded speech on voter fraud, Trump said:

It’s a widely known fact that the voting rolls are packed with people who are not lawfully eligible to vote, including those who are deceased, have moved out of their state and even are noncitizens of our country. ... It is a travesty that in the year 2020 we do not have any means of verifying the eligibility of those who cast ballots in an election, and such an important election it is, for determining who they are, whether they live in the state or whether they are even American citizens.⁸⁴

Trump continued, “Most Americans would also be shocked to learn that no state in the country verifies United States citizenship as a condition for voting in federal elections.”⁸⁵ Which is, of course, nonsense. Not only did he ignore the procedural safeguards that make it difficult for noncitizens to register to vote (and the penalties and apparatuses that deter them from doing so), he ignored the fact that certain states require proof of citizenship either to vote or to obtain a license needed to vote. The following month during the infamous “Save America” rally on January 6, 2021, Trump said, “In the State of Arizona, over 36,000 ballots were illegally cast by noncitizens.”⁸⁶ Trump lost Arizona by 10,457 votes.

⁸² Press Release, WhiteHouse.gov, Presidential Advisory Commission on Election Integrity (May 11, 2017) (on file with author),

<https://trumpwhitehouse.archives.gov/articles/presidential-advisory-commission-election-integrity/>.

⁸³ Nicholas Riccardi, *Noncitizen voting isn’t an issue in federal elections, regardless of conspiracy theories. Here’s why*, AP (Apr. 12, 2024, 7:34 PM),

<https://apnews.com/article/trump-immigrant-voting-noncitizens-elections-explained-cf4c73b336147b5f5d>;

Marina Villaeneuve, *Report: Trump commission did not find widespread voter fraud*, AP (Aug. 3, 2018, 6:26 PM),

<https://apnews.com/article/f5f6a73b2af546ee97816bb35e82c18d>; see also *Background on Trump’s ‘Voter Fraud’ Comm’n*, BRENNAN CTR. FOR JUST. (July 18, 2017),

<https://www.brennancenter.org/our-work/analysis-opinion/background-trumps-voter-fraud-commission>

⁸⁴ Donald Trump, Speech: Donald Trump Makes an Unscheduled Pre-Recorded Speech on the Election - December 2, 2020 (transcript available on Rollcall.com),

<https://rollcall.com/factbase/trump/transcript/donald-trump-speech-elections-unannounced-december-2-2020/>.

⁸⁵ *Id.*

⁸⁶ Donald Trump, Donald Trump Speech “Save America” Rally Transcript January 6 (Jan. 6, 2021) (transcript available on Rev.com),

<https://www.rev.com/blog/transcripts/donald-trump-speech-save-america-rally-transcript-january-6>.

Trump has made immigration policy a centerpiece of his 2024 campaign, much as he did in 2016 and 2020—but this time conspiratorial falsehoods about immigrant voting are a far more central element. He repeatedly attacked President Biden’s immigration and border policies as a conspiracy to overthrow the country, parroting the white supremacist great replacement conspiracy theory.⁸⁷ At the September 10 presidential debate, Trump said, “Our elections are bad. And a lot of these illegal immigrants coming in, they're trying to get them to vote. They can't even speak English. They don't even know what country they're in practically. And these people are trying to get them to vote. And that's why they're allowing them to come into our country.”⁸⁸

B. Partisan Actors Follow Suit

Partisan officials have followed Trump’s lead in amplifying his baseless attacks on immigrant voting, with Trump followers in Congress and state government repeating his false talking points.⁸⁹ And these individuals continued even when they were proven wrong. In Iowa, Secretary of State Paul Pate said ineligible immigrant voting is a problem in his state’s elections, but local investigations refuted his claims. Former Arizona Attorney General Mark Brnovich frequently claimed such voting was widespread in the 2020 election, but election audits proved that to be false.⁹⁰ And in Texas, Governor Greg Abbott, Attorney General Ken Paxton, and former Secretary of State David Whitley all made outlandish claims about the number of ineligible immigrant voters.⁹¹

⁸⁷ Right Side Broadcasting Network, *FULL SPEECH: Trump Holds a “Get Out The Vote Rally” in Richmond, VA - 3/2/24*, YOUTUBE, at 22:29 (Mar. 2, 2024), <https://youtu.be/hUH7WSzBacY?t=1349>; Forbes Breaking News, *FULL EVENT: Trump Gives Fiery Interview At National Association Of Black Journalists Convention Q&A*, YOUTUBE, at 17:28 (Jul 31, 2024), <https://youtu.be/CNSGTxDC2WQ?t=1048>; Aaron Rupar (@atrupar), TWITTER (Aug. 3, 2024, 6:57 PM), <https://x.com/atrupar/status/1819870112511365497?s=46&t=yKBFpwARcxXPrYJx-ZwFWg>.

⁸⁸ Kamala Harris & Donald Trump, READ: Harris-Trump presidential debate (Sept. 10, 2024) (available on abcnews.com), <https://abcnews.go.com/Politics/harris-trump-presidential-debate-transcript/story?id=113560542>.

⁸⁹ Dartunorro Clark, *Judge rules against Kemp over voters misidentified as noncitizens*, NBC NEWS (Nov. 2, 2018, 3:34 PM), <https://www.nbcnews.com/politics/politics-news/judge-rules-against-kemp-over-voters-misidentified-noncitizens-n930536>.

⁹⁰ Marissa Sarbak, *Arizona AG: No evidence of widespread voter fraud found in 2020 election*, FOX 10 PHOENIX (Feb. 28, 2023, 4:53 PM), <https://www.fox10phoenix.com/news/arizona-ag-no-evidence-widespread-voter-fraud-found-2020-election-mayes-brnovich>; Stephen Gruber-Miller, *Iowa secretary of state says dozens of noncitizens may have voted in past state elections*, Des Moines Register (Oct. 23, 2024, 4:26 PM), <https://www.desmoinesregister.com/story/news/politics/elections/2024/10/23/iowa-secretary-of-state-paul-pate-says-noncitizens-may-have-voted-in-elections/75797141007/>.

⁹¹ Emma Platoff & Alexa Ura, *Texas AG Ken Paxton says his office hasn't launched criminal investigations of voters flagged for citizenship review*, THE TEXAS TRIBUNE (Feb. 8, 2019, 2:00 PM), <https://www.texastribune.org/2019/02/08/texas-ken-paxton-voter-fraud-non-citizens-not-prosecuted/>; Lexi Churchill et al., *Gov. Greg Abbott boasted that Texas removed 6,500 noncitizens from its voter rolls. That number was likely inflated*, THE TEXAS TRIBUNE (Oct. 15, 2024, 5:00 AM), <https://www.texastribune.org/2024/10/15/texas-noncitizen-voter-roll-removal-included-americans/>.

At the 2024 Republican National Convention, prominent speakers pushed election fraud conspiracies, including “great replacement theory”-adjacent claims that Democrats were letting immigrants enter the country illegally in order to gain their votes. House Speaker Mike Johnson claimed “millions of illegal aliens ...disrupt our elections.”⁹² Texas Senator Ted Cruz said, “Democrats cynically decided they wanted votes from illegals more than they wanted to protect our children.”⁹³ Arizona Senate candidate Kari Lake said her Democratic opponent wanted “to let the millions of people who have poured into our country illegally cast a ballot in this upcoming election.”⁹⁴ And Florida Senator Rick Scott described how Joe Biden could be re-elected: “It was easy for Democrats to rig the elections; they simply allowed all the noncitizens to vote.”⁹⁵

Some in the policy intelligencia have also followed suit. For example, the Heritage Foundation has written reports on ineligible immigrant voting and maintained a database of supposed voter fraud cases.⁹⁶ Their “reports” often cite debunked studies while exaggerating the scope of the issue based on isolated incidents, taking rare anecdotal examples to draw broad and misleading conclusions that such voting is widespread while ignoring data-driven and peer-reviewed studies proving the opposite. Many other conservative think tanks, including the Federation for American Immigration Reform, Center for Immigration Studies, American Enterprise Institute, and Claremont Institute, have similarly tried to justify policy positions on immigrant and election integrity by overstating the extent and potential of ineligible immigrant voting.⁹⁷

⁹²Nicholas Liu, “*Votes from illegals*”: Republicans are already preparing an excuse if they lose in November, SALON (July 18, 2024, 11:34 AM), <https://www.salon.com/2024/07/18/votes-from-illegals-are-already-preparing-an-excuse-if-they-lose-in-november/>.

⁹³Radley Balko, *The worst thing about Ted Cruz’s dystopian RNC speech*, MSNBC (July 18, 2024, 6:00 AM), <https://www.msnbc.com/opinion/msnbc-opinion/rnc-speech-ted-cruz-immigration-border-control-rcna162400>.

⁹⁴ PBS NewsHour, *WATCH: Senate candidate Kari Lake speaks at 2024 Republican National Convention | 2024 RNC Night 2*, YOUTUBE, at 2:37 (Jul. 16, 2024), <https://www.youtube.com/watch?v=FxJiStdF9p0&t=157s>.

⁹⁵ PBS NewsHour, *WATCH: Sen. Rick Scott speaks at 2024 Republican National Convention | 2024 RNC Night 2*, YOUTUBE, at 2:23 (Jul. 16, 2024), <https://youtu.be/0kRFSji8hQE?si=Enatq03H8C5QALV8&t=143>.

⁹⁶ HANS VON SPAKOVSKY, *THE THREAT OF NON-CITIZEN VOTING* (Jul. 10, 2008), <https://www.heritage.org/report/the-threat-non-citizen-voting>.

⁹⁷ FEDERATION FOR AMERICAN IMMIGRATION REFORM, *NONCITIZENS, VOTING VIOLATIONS AND U.S. ELECTIONS* (2020), <https://www.fairus.org/issue/noncitizens-voting-violations-and-us-elections>; *Non-Citizen Voting: Is It in America’s Future?*, CENTER FOR IMMIGRATION STUDIES, <https://cis.org/NonCitizen-Voting-It-Americas-Future> (last visited Oct. 30, 2024); Howard Husock, *Noncitizen Voting Doesn’t Pass This Test*, AMERICAN ENTERPRISE INSTITUTE (Dec. 1, 2021), <https://www.aei.org/op-eds/noncitizen-voting-doesnt-pass-this-test/>; Ben Weingarten, *The Battle Lines of 2024’s Epic Struggle*, THE AMERICAN MIND (Aug. 14, 2024), <https://americanmind.org/salvo/the-battle-lines-of-2024s-epic-struggle/>.

C. Proposed Legislative “Solutions”

Some conservative lawmakers are also using their positions in government to further immigrant voting myths by introducing legislation that would make it harder for Black and Brown people to participate in our democracy—but wrapped in the veneer of stopping ineligible immigrant voting.

In May 2024, U.S. House Speaker Mike Johnson (R-La.), Rep. Chip Roy (R-Texas) and Sen. Mike Lee (R-Utah) introduced the Safeguard American Voter Eligibility Act (the SAVE Act).⁹⁸ It was supported by nearly 50 GOP House members. During a press conference outside the Capitol, Speaker Johnson formally introduced the bill by saying, “We all know, intuitively, that a lot of illegals are voting in federal elections.”⁹⁹ He said the bill was necessary for “ensuring that only American citizens vote in American elections” because “Illegal immigrants and noncitizens across the nation are being improperly registered to vote, allowing them to cast illegitimate ballots in federal elections.”¹⁰⁰ Looking at the legislation factually—rather than “intuitively”—makes it clear that the bill, as the Leadership Conference notes, is “the most recent example of what has been a string of recent efforts to make voter registration and voting more difficult, particularly for voters of color.”¹⁰¹

Ever since Trump’s loss in 2020, many Republican-led states have proposed or passed strict voter ID laws requiring proof of citizenship to vote, arguing that these laws are necessary to stop nonexistent ineligible immigrant voting. As of October 1, 2024, eleven states had enacted new laws aimed at restricting voting, while 17 others were currently considering additional measures.¹⁰² For example, in 2021 Georgia and Florida passed laws tightening existing voter ID requirements.¹⁰³ Florida’s law also made it harder for people to vote by mail, imposed restrictions on ballot drop boxes, and limited

⁹⁸ Safeguard American Voter Eligibility Act of 2024, H.R. 8281, 118th Cong. (2d Sess. 2024), https://www.democracydocket.com/wp-content/uploads/2024/05/SAVE-ACT_Bill-Text.pdf.

⁹⁹ Aaron Rupar (@atrupar), TWITTER (May 8, 2024, 11:35 AM), <https://x.com/atrupar/status/1788231185174311165>.

¹⁰⁰ Press Release, Chip Roy U.S. Cong. - 21st District of Texas, Rep. Roy leads fight to SAVE American elections (May 8, 2024) (on file with author), <https://roy.house.gov/media/press-releases/rep-roy-leads-fight-save-american-elections>.

¹⁰¹ Civil Rights Groups Letter to Members of Congress, Jul. 9, 2024, <https://civilrightsdocs.info/pdf/policy/letters/2023/SAVEActLetter-July92024.pdf>.

¹⁰² VOTING RIGHTS LAB - BILL SEARCH, <https://tracker.votingrightslab.org/pending/search?number=5813264641531032>; <https://tracker.votingrightslab.org/pending/search?number=5989700499429365>.

¹⁰³FULTON COUNTY, SB 202 - WHAT’S NEW FOR VOTERS?, <https://www.fultoncountygga.gov/inside-fulton-county/fulton-county-departments/registration-and-elections/sb-202-changes>; SUMTER COUNTY SUPERVISOR OF ELECTIONS, FLORIDA SENATE BILL 90 UPDATES, <https://www.sumterelections.org/Voters/Florida-Senate-Bill-90-Updates>.

third-party voter registration efforts.¹⁰⁴ Also in 2021, Texas expanded its voter ID requirements, making it harder to vote by absentee ballot.¹⁰⁵

The goal of increasing election security is not inherently problematic. Neither is requiring proof of citizenship to vote, so long as it doesn't unfairly burden access to voting in violation of federal law. The false rhetoric around immigrant voting, however, distorts the size of the ineligibility problem, leading to unnecessarily broad legislative "solutions" that do little to combat any actual problems while suppressing democratic participation, particularly among minority voters and naturalized citizens.

As the Bipartisan Policy Center describes it:

Both parties agree that voter registration should permit all eligible citizens—and only eligible citizens—to register and vote. Although instances of noncitizen registration and voting are rare, the SAVE Act's goal of ensuring that only citizens can register to vote is important. But there are easier, more cost-effective ways to improve voter registration that don't create new barriers for eligible voters.¹⁰⁶

Using the narrative of ineligible immigrant voting to justify solutions to problems that do not exist but that may, hypothetically, arise in the future simply fuels election fraud conspiracy theories, eroding faith in the validity of our elections. Lies about minority communities' exercising their right to vote have been used for generations to attack Black and Brown people in the U.S. They have not just silenced individual voters, but have actively suppressed the political power of entire communities, effectively limiting their ability to influence policies that directly affect their lives.

V. Conclusion: How to Defeat the Big Lie of 2024

The Second Big Lie of immigrant voting presents dangers for the short-term—that is, for the 2024 election—and for the long-term. The immediate risk is that Trump and his allies will use false claims of ineligible immigrant voting to label the election a fraud and challenge the results politically and legally. (That Trump will try to do this is seemingly inevitable; whether he succeeds is thankfully far less certain.) This short-term danger is also a long-term problem. Trump's lies, and the Republican party's willingness to repeat them, will certainly empower future candidates to follow the same election fraud conspiracy playbook in future elections. Even more insidious, however, is the near certainty that policymakers will use the myth of ineligible immigrant voting to pass discriminatory legislation to suppress the votes and voices of Latinos and other peoples of color, and ultimately

¹⁰⁴ *Id.*

¹⁰⁵ Press Release, Office of Public Affairs U.S. Dep't of Just., Court Finds that Texas Law Requiring the Rejection of Mail Ballots and Applications Violates the Civil Rights Act (Aug. 18, 2023) (on file with author), <https://www.justice.gov/opa/pr/court-finds-texas-law-requiring-rejection-mail-ballots-and-applications-violates-civil>.

¹⁰⁶ Lempert et al, *supra* note 21.

undermine Americans' confidence in democracy itself. We must not allow that reality to come to pass unchallenged.

A. Media and Public Information Solutions

A starting point for combatting lies about immigrant voting is to fight falsity with truth. The media is the first, and most important front in this battle, as it plays a crucial role in promoting truth and ensuring that accurate information reaches the public. It is critical that fact-checking platforms like Politifact and FactCheck.org continue to prioritize debunking myths related to immigrant voting. Public advocacy organizations can spearhead campaigns to educate citizens on the realities of the voter fraud conspiracy theories, emphasizing that ineligible immigrant voting is not a widespread issue. Nonpartisan nonprofit organizations like the Brennan Center, Protect Democracy, Democracy Docket, and the Voting Rights Lab have disseminated memos and reports about the myth of noncitizen voting¹⁰⁷—and they must persist until reaching a saturation point, where persuadable Americans recognize that the claim is nothing more than a fabricated scare tactic.

It is not enough to simply debunk this lie, however. There is strong evidence that the very phrase “non-citizen voting” can be counterproductive even when it is being used in the context of a fact check. That’s because, as studies have repeatedly shown, information that feels more familiar registers as more credible—and words that people hear frequently are familiar. So, counterintuitively, publicly repeating the phrase “noncitizen voting” risks making people think that noncitizens are actually voting.

That’s why it’s critical to go on offense to defeat this lie. For example, it’s important to frame the issue in a way that avoids adding legitimacy to the claim— and a good place to start is to portray it as part of broader election fraud conspiracies, lies about voting, and baseless accusations against immigrants. Positioning these claims within the realm of misinformation and discrimination redirects the conversation toward facts rather than lending credence to the false narrative itself.

The fight will also play out online, as lies and fabrications can spread to tens of millions of people in a matter of seconds. That’s why social media platforms like Facebook, Twitter (X), TikTok, and others must embrace their responsibility to combat misinformation—including by working with civil society and other organizations to flag, correct, and remove false claims about immigrant voting. Regrettably, the trend has not been positive in that regard.

¹⁰⁷ Michael Waldman, *Why the Myth of Noncitizen Voting Persists*, BRENNAN CTR. FOR JUST. (Aug. 21, 2024), <https://www.brennancenter.org/our-work/analysis-opinion/why-myth-noncitizen-voting-persists>; Anna Dorman & Kenneth Parreno, *Noncitizen voting lies, explained*, PROTECT DEMOCRACY (Sept. 10, 2024), <https://protectdemocracy.org/work/noncitizen-voting-lies-explained/>; Courtney Cohn, *Debunking the Myths Surrounding Noncitizen Voting*, DEMOCRACY DOCKET (July 9, 2024), <https://www.democracymocket.com/analysis/debunking-the-myths-surrounding-noncitizen-voting/>; *The Truth about False Claims of Noncitizen Voting*, VOTING RIGHTS LAB (Mar. 13, 2024), <https://votingrightslab.org/2024/03/13/analysis-the-truth-about-false-claims-of-noncitizen-voting/>.

Moreover, simply removing these lies is not enough: there must be a concerted offensive online—and that starts with social media influencers. These individuals often have audiences who are open and engaged and can range in the millions. They should be provided with accurate information, briefed on how to convey it, supported and amplified. The roles social media platforms play in identifying and inhibiting the spread of misinformation has been hotly debated in recent years, and arguably these companies have been moving in the wrong direction. Nevertheless, social media platforms must play a critical role in fighting election fraud conspiracy theories.

Finally, partnering with journalists can be a powerful way to expose the truth behind the concerted campaign to elevate these anti-immigrant lies. Investigative journalists can dig into the data and highlight the gap between political rhetoric and reality, showcasing how frequently these claims are exaggerated or entirely fabricated. They can investigate and expose the people and institutions guiding this lie, bringing people into the light who would rather operate in the dark. By presenting well-researched reports, journalists can help dispel myths and encourage a fact-based public discourse. And it is critical that the democracy movement partners with local media, as Americans trust local news and newspapers more than national outlets.¹⁰⁸

B. Voter Outreach and Education

Studies repeatedly demonstrate that the best way to change someone’s mind or to dispel myths and falsities is for their neighbors, friends, or family to talk with them.¹⁰⁹ That is precisely why local peer-to-peer networks such as Nextdoor or neighborhood Facebook groups, are such effective platforms for actually changing minds. They don’t just provide information without context: they reach a targeted audience with accurate information *from trusted sources*. The democracy movement must make use of these networks to provide fact-based narratives that counter lies about immigrant voting, reframing the issue as attacks on local immigrants, neighbors, even friends.

This is not to say that general voter outreach and education aren’t critical tools in combating misinformation about noncitizen voting; they are. Grassroots organizations, especially civil rights and political organizations, play a pivotal role in ensuring that communities are well-informed about voter eligibility and registration requirements. These organizations can help dispel persistent myths about noncitizen voting by applying election-style organizing programs to meet people where they are and get them the information they need. By providing local volunteers with clear, accurate information and easy to convey talking points, they can begin the process of truly changing minds. This should include educating voters about the laws that explicitly prohibit noncitizens from participating in elections, while also reframing the issue as part of a larger pattern of election fraud

¹⁰⁸ Suzanne S. LaPierre, *Trust in news varies by source and demographics*, DIGITAL CONTENT NEXT (Aug. 13, 2024), <https://digitalcontentnext.org/blog/2024/08/13/trust-in-news-varies-by-source-and-demographics/>.

¹⁰⁹ See, e.g., David Brockman & Joshua Kalla, *Durably reducing transphobia: A field experiment on door-to-door canvassing*, 352 SCIENCE 220–24 (2016), <https://pubmed.ncbi.nlm.nih.gov/27124458/>; Arnaud Gagneur, *Motivational interviewing: A powerful tool to address vaccine hesitancy*, 46 Can Commun Dis Rep 93–97 (2020), <https://pubmed.ncbi.nlm.nih.gov/32281992/>; Brian Resnick, *How to talk someone out of bigotry*, VOX (Jan. 29, 2020, 9:40 AM), <https://www.vox.com/2020/1/29/21065620/brockman-kalla-deep-canvassing>.

conspiracies designed to suppress voter participation and sow doubt about the integrity of the electoral system.

C. Legal Avenues

Litigation can be an effective weapon to fight immigrant voting lies. One particularly powerful approach is to file lawsuits to challenge restrictive voting laws that use the fear of noncitizen voting as a pretext to disenfranchise legitimate voters. For example, legal challenges such as *La Union Del Pueblo Entero, et al. v. Abbott, et al.* have challenged discriminatory voter ID laws that make it harder for certain groups, including minorities and immigrants, to exercise their right to vote. And victories also serve as a public demonstration that the myth of ineligible immigrant voting is actually a ruse intended to disenfranchise communities of color. This strategy does not always work, of course, as we saw in the recent Supreme Court decision upholding Virginia’s voter purge that will likely remove eligible voters from the rolls.¹¹⁰ But it often does succeed.

In 2021, Texas passed Senate Bill 1, “sweeping legislation that further tightens state election laws.”¹¹¹ While pushing the bill, Texas Governor Greg Abbott and Attorney General Ken Paxton emphasized how the bill was needed to protect against voter fraud, including noncitizen voting.¹¹² Over the past month, a federal court in San Antonio has issued two rulings striking down key provisions of Texas’ anti-voter law. On September 28, 2024, Judge Xavier Rodriguez found that the law’s Canvassing Restrictions—which makes it a felony for organizers to assist voters with their absentee ballots in the presence of a mail-in ballot—violated the First and Fourteenth Amendments.¹¹³ Subsequently, on October 11, 2024, Judge Rodriguez also invalidated additional provisions of the law that criminalized mail-ballot assistance, finding that it violated Section 208 of the Voting Rights Act, which guarantees eligible voters the right to vote with an assistor of their choice.¹¹⁴ The Texas law banned compensated assistance, added canvassing restrictions, and narrowed the class of eligible assistors—making it harder for people to obtain voting help and deterring voters from exercising

¹¹⁰ *Beals v. VA Coalition for Immigrant Rights*, --- S.Ct. ---, 2024 WL 4608863 (Mem).

¹¹¹ Alexa Ura, *Gov. Greg Abbott signs Texas voting bill into law, overcoming Democratic quorum breaks*, THE TEXAS TRIBUNE (Sept. 7, 2021, 1:00 PM), <https://www.texastribune.org/2021/09/01/texas-voting-bill-greg-abbott/>.

¹¹² Press Release, Office of the Texas Governor | Greg Abbott, Governor Abbott Signs Election Integrity Legislation Into Law (Sept. 7, 2021) (on file with author), <https://gov.texas.gov/news/post/governor-abbott-signs-election-integrity-legislation-into-law>; Press Release, Texas Office of the Attorney General, Paxton Defends Senate Bill 8 in the U.S. Supreme Court (Nov. 1, 2021) (on file with author), <https://www.texasattorneygeneral.gov/news/releases/paxton-defends-senate-bill-8-us-supreme-court>.

¹¹³ Findings of Fact and Conclusions of Law (Overbreadth, Vagueness, and Free Speech Challenges To S.B. 1 § 7.04), *La Union del Pueblo Entero et al. v. Abbott, et al.* (2024), No. 5:21–CV–0844–XR, https://storage.courtlistener.com/recap/gov.uscourts.txwd.1146047/gov.uscourts.txwd.1146047.1157.0_1.pdf.

¹¹⁴ Findings of Fact and Conclusions of Law (Claims Under Section 208 of the Voting Rights Act) at 110, *La Union del Pueblo Entero et al. v. Abbott, et al.* (2024), No. 5:21–CV–0844–XR, https://aab91155-966e-43a7-af87-a209b39e1f8b.usrfiles.com/ugd/a4ea0d_d6c67d5402e845fabddf73156bc2b9bd.pdf.

their rights. Although the ruling did not directly address noncitizen voting—which is not surprising considering noncitizen voting is not an actual problem—it temporarily nullified an unnecessary law that was likely to discriminate against minority voters. While both injunctions prohibiting enforcement of the law are stayed until after the November 2024 general election, the case remains an example of challenging discriminatory voter laws based in-part on the fallacy that ineligible immigrants are voting.

Another legal option is to submit amicus briefs in pending litigation. Advocacy groups like the ACLU and the Brennan Center for Justice have successfully used this tool to support court cases that challenge voter suppression efforts. By filing amicus briefs in cases related to voting rights, these organizations provide the courts with critical data and expert analysis that reveal the truth of noncitizen voting and expose the discriminatory nature of restrictive laws. These briefs can help shift the narrative in courtrooms by framing noncitizen voting claims as part of broader election fraud conspiracies designed to suppress voter participation. And amicus briefs filed by leading Republican or conservative thinkers can also serve as a tool to demonstrate that the issues under consideration are not partisan.

To take an example of where the strategy can be expected, on October 22, 2024, Texas Attorney General Paxton filed a suit against President Biden, alleging that the Department of Homeland Security had failed to help Texas determine the citizenship status of nearly half-a-million Texas voters.¹¹⁵ The suit will present an opportunity for the Biden administration, as a party, and advocacy organizations, and prominent conservatives, as amici, to demonstrate how existing laws sufficiently protect against noncitizen voting and dispel myths about noncitizen voting.

D. Legislative Solutions

Ultimately, the best way to combat election fraud conspiracies is to build a legal framework that ensures that everyone who is eligible to vote is able to vote easily, without interference or intimidation. While it is undeniably true that the legislation required to build such a framework is unlikely to pass as our Congress is currently constituted, it is nevertheless crucial if we are to mitigate the long-term dangers of election fraud conspiracies, including those related to immigrant voting. Passing new laws at the state or federal level takes time, but the positive prophylactic effects last for years.

At the federal level, legislators should champion bills like the John R. Lewis Voting Rights Advancement Act, the Freedom to Vote Act, and the For the People Act, each of which would restore and strengthen protections against discriminatory practices in elections—among many other critical things. Taken together, they would create a democratic system that uplifts rather than

¹¹⁵Press Release, Texas Office of the Attorney General, Attorney General Ken Paxton Sues Biden-Harris Administration for Refusing to Verify the Citizenship Status of Potentially Ineligible Voters on Texas Voter Rolls (Oct. 22, 2024) (on file with author), <https://texasattorneygeneral.gov/news/releases/attorney-general-ken-paxton-sues-biden-harris-administratio-n-refusing-verify-citizenship-status>.

undermines the public’s voice. They would make it easier and safer to vote; they would make it harder for the super wealthy to drown out the public’s voice in elections; they would begin to rid the government of corruption and elevate the public’s voice in policy making by limiting the influence of special interests. And, critically, they would ensure the integrity of elections without suppressing votes, particularly among minority populations. Additionally, legislators can seek compromise in order to reform election bills by agreeing to provisions that bolster election integrity but ensuring those provisions do not unnecessarily inhibit voter registration or participation. Compromise proposals can also shift the typical narrative of the bill away from lies about immigrant voting, just as proper framing of voter protection laws generally can strike a balance between addressing election security without perpetuating false narratives.

Policymakers generally have more ability to legislate at the state level—though that varies tremendously across the country. With that in mind, legislators should focus on making voting simpler and easier. For instance, state legislators in states without universal, no-excuse mail or absentee voting should implement it. This will require a focus on public education to explain how universal mail balloting makes participation easier and safer with no increase in voter fraud and no bias towards one party.¹¹⁶ Just as at the federal level, local lawmakers should work across the aisle to develop legislation that enhances election security without appealing to anti-immigrant lies. That could include bills that prioritize accurate voter information, strengthen registration processes, and expand access to the franchise—all of which are common sense proposals where Republicans and Democrats can find common ground. Similarly, state lawmakers should propose rescinding or amending existing voter ID laws that unfairly target minority populations.

To effectively fight lies about immigrant voting, policymakers must be prepared to effectively promote evidence-based policies. Legislators must be effective communicators, prepared to utilize empirical evidence and to explain their reforms in plain English—to talk about the freedom to vote, and to cast ballots freely, safely, and equally. And they must also go on offense against election deniers and autocrats wielding lies about immigrants: avoid using the phrase “noncitizen voting” while framing their policies as efforts to silence voters, and part of broader election fraud conspiracies, lies about voting, and baseless accusations against immigrants.

¹¹⁶ Andrew B. Hall et al, *Universal vote-by-mail has no impact on partisan turnout or vote share*, PROCEEDINGS OF THE NATIONAL ACADEMY OF SCIENCES OF THE UNITED STATES OF AMERICA (June 9, 2020), <https://pubmed.ncbi.nlm.nih.gov/32518108/>.

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