

Under Cover of “Voter Fraud” Allegations, Republicans Suppress the Vote

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Part I of a two-part article.

At recent campaign events, Republican presidential and vice presidential candidates John McCain and Sarah Palin have made sensational charges, alleging that widespread “voter fraud” is taking place in an attempt to manipulate the election in favor of Barack Obama. The Republican Party has focused on the voter registration group ACORN (Association of Community Organizations for Reform Now), which is now the subject of a number of investigations of fraudulent voter registrations.

In his recent debate with Barack Obama, McCain went so far as to claim that ACORN was “on the verge of maybe perpetrating one of the greatest frauds in voter history in this country, maybe destroying the fabric of democracy.”

Under cover of charges of voter fraud against ACORN, what is actually taking place is a systematic drive by the McCain campaign and the Republican Party to suppress the vote of sections of the working class—minorities, the youth, legal immigrants, and the poor—who tend to vote Democratic, and to prejudice far-right elements in the population against the legitimacy of a Democratic victory.

“Voter fraud”

On October 16, two FBI sources, speaking on condition of anonymity, leaked word that ACORN was the subject of a federal investigation into voter fraud. The FBI has not confirmed that such an investigation is taking place and ACORN says that it has not been contacted by federal agents. It is a violation of Justice Department regulations to divulge that a federal investigation is under way before charges are made. Until 2007, such a leak would also have violated Justice Department regulations governing electoral investigations that forbade “any conduct which has the possibility of affecting the election itself,” and which required that “most, if not all, investigation of an alleged election crime must await the end of the election to which the allegation relates.” This language was removed in 2007 amidst the controversy over the US attorney firings.

The FBI leak was without doubt intentional, part and parcel of a Republican campaign to intimidate those seeking to defend voting rights, and to cultivate doubt about the validity of what appears increasingly likely to be a lopsided Democratic victory in the upcoming election. In response to the FBI leak, ACORN called it “a right-wing attempt to set the stage for a massive voter suppression operation and a gross attempt to besmirch the largest community organization of low and moderate income Americans.”

The announced FBI investigation is one of a number of transparently political witch-hunts of ACORN taking place in a number of “battleground” states. ACORN is under investigation in Nevada, where its Las Vegas offices were raided on October 8, Ohio, Indiana, Wisconsin, New Mexico, North Carolina, Missouri, Minnesota, and Pennsylvania, in addition to solidly Republican Texas.

Critics of ACORN have been able to cite only a relative handful of examples of false registration forms out of the 1.3 million new voters the group claims to have registered. ACORN insists that most of the examples being used against it are cases that the group flagged to authorities. However, to whatever limited extent fraud has allegedly been perpetrated by individuals working for ACORN, this would be more accurately described as “voter registration fraud”—not voter fraud.

The two crimes are very different. Fraud in voter registration—usually listing people who do not exist as eligible to vote—arises out of the haphazard process by which voters become eligible to cast a ballot in the US. Americans may cast a ballot in elections only if they have registered to vote with local authorities well before the date of the election. The process may be more or less onerous and cumbersome, depending on the state. As a result, a very large share of the potential electorate in the US does not cast a ballot. Those sections of the population that feel most disenfranchised by the electoral system—the poor, working class, minorities, and the youth—have been those least inclined, or able, to register.

In order to register these groups, community organizations with political ties to the Democratic Party carry out voter registration drives, which very often depend upon workers who are paid based on the number of signatures they gather. There is thus built into the US system of voter registration a tendency to inflate voter registration rolls. However, this “crime” does not imply the intention, much less the possibility, of manipulating the outcome of elections by illegal means. This is for the simple reason—often overlooked in media coverage of the allegations against ACORN—that nonexistent registered voters cannot show up to vote.

Voter fraud, on the other hand, is the act of illegally casting ballots that will be counted by election officials. According to Lorraine Minnite, a political scientist at Barnard College and an expert on voting crime, out of all the elections held between 2002 and 2005, only 24 voters were convicted of fraud in federal courts, and those convicted often had no intent of committing a crime. In one case, an African American grandmother from Wisconsin, Kimberly Prude, was jailed for over two years for illegally voting in the 2004 election while on probation. She has maintained that she was unaware she could not vote.

Pro-Democratic groups do not have a monopoly on registration fraud. A pro-Republican organization, “Young Political Majors” (YPM), has carried out a fraudulent registration campaign that may have a more serious bearing on the election. Numerous allegations have been made since the 2004 election that YPM has tricked people into signing up as registered Republicans—in which case they will receive only a Republican ballot in the General Election—by falsely claiming that the petition individuals are signing is some other sort of document, such as a petition against child pornography.

The *Los Angeles Times* called 46 voters recently re-registered as Republicans by YPM for the 2008 elections. The *Times* discovered that the vast majority of these individuals, 37, had been “misled into making the change or that it was done without their knowledge.” YPM has

registered 70,000 people for the upcoming elections. The owner of the firm, Mark Jacoby, was arrested on October 19 in Southern California for registering to vote in two different locations. Republicans have charged that the arrest was a partisan-motivated effort designed to divert attention from ACORN.

US attorney firings

The current witch-hunt of ACORN has not come out of the blue.

The firing of nine US attorneys shortly after the elections of 2006 resulted largely from the attorneys' obstinacy in carrying out prosecutions of pro-Democratic registration drives. David Iglesias, one of the fired attorneys, claims that the Republicans "wanted some splashy pre-election indictments that would scare these alleged hordes of illegal voters away. We took over 100 complaints and investigated for almost two years—but I didn't find one prosecutable case of voter fraud in the entire state of New Mexico."

Another prosecutor, John McKay of Seattle, was fired because he refused to carry out a voter fraud investigation after the razor-thin Democratic victory in the 2004 Washington state gubernatorial election.

It is now clear that the firings were in preparation for the 2008 presidential election. In nearly every case, the purging took place in battleground states and the fired attorneys were replaced by Bush loyalists. One of the fired prosecutors, Bud Cummins of Arkansas, was replaced by a Karl Rove aide, Tim Griffin. The Republicans anticipated that Hillary Clinton, the former first lady of the state, would be the Democratic nominee and that therefore Arkansas might be a closely contested state.

Another Bush replacement was Bradley J. Schlozman in Missouri. His predecessor, Todd Graves, had come under criticism from Missouri Republicans for not carrying out investigations of voter fraud. Six days before the 2006 elections, Schlozman announced indictments of four ACORN workers for submitting fraudulent registrations to the election board in Kansas City. ACORN had earlier discovered the fraudulent forms and alerted the authorities. The indictments were a transparent effort to tilt a tight Senate race between Republican incumbent Jim Talent and Democrat Claire McCaskill in favor of the former. McCaskill narrowly won. In hearings before the Senate Judiciary Committee, Schlozman said repeatedly that the Justice Department had directed him to announce the indictments before the election. He later retracted the testimony.

Schlozman's appointment as US attorney was the reward for a career spent suppressing the vote. As the *World Socialist Web Site* reported in 2007, "as a deputy in the Justice Department's civil rights division, [Schlozman] had overruled career government lawyers in approving a Texas redistricting plan pushed by Tom DeLay, then House majority leader. He also approved, over the objections of Justice Department civil rights lawyers, a Georgia law requiring voters to show an official photo ID—a plan designed to disenfranchise poor and minority voters. Schlozman also was involved in filing amicus briefs in the battleground states of Florida, Michigan and Ohio in 2004, seeking to prevent the counting of provisional ballots in the presidential election."

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