



February 27, 2017

The U.S. Commission on Civil Rights Reaffirms Longstanding Commitment to Safeguarding the Right to Vote

President Donald Trump has announced his intention to set up a commission led by Vice President Michael Pence to investigate alleged massive voter fraud during the 2016 election. The President has frequently asserted a claim of widespread voter fraud but offered no evidence in support of it; nor has any credible source offered any evidentiary support for it.¹ Creating a special commission in these circumstances is misleading and an unnecessary diversion of resources.

The U.S. Commission on Civil Rights is, and for sixty years has been, congressionally charged with investigating allegations relating to deprivations “as a result of any pattern or practice of fraud; of the right of citizens of the United States to vote and have votes counted.”² We have taken up this charge at many times in our history when the facts and circumstances warranted. The real danger to our electoral system at this time is the now-familiar effort to suppress the right to vote. According to the Brennan Center for Justice, 46 bills to restrict access to registration and voting have been introduced in 21 states as of February 1.³ A recent study demonstrated that restrictive voting laws significantly decrease voter participation among racial and ethnic groups.⁴

¹ See, e.g., Lorraine C. Minnite, *The Myth of Voter Fraud*, Cornell University Press, 2010; M.V. Hood III & William Gillespie, They just do not vote like they used to: A methodology to empirically assess election fraud, *Social Science Quarterly*, 93(1), 2012, doi:10.1111/j.1540-6237.2011.00837.x; Ray Christensen & Thomas J. Schultz, Identifying Election Fraud Using Orphan and Low Propensity Voters, *American Politics Research*, August 19, 2013, DOI: <https://doi.org/10.1177/1532673X13498411>; Justin Levitt. *The Truth About Voter Fraud*, Brennan Center, 2007, available at <https://www.brennancenter.org/sites/default/files/legacy/The%20Truth%20About%20Voter%20Fraud.pdf>; Sharad Goel, Marc Meredith, Michael Morse, David Rothschild & Houshmand Shirani-Mehr, *One Person One Vote*, January 13, 2017, Working Paper, available at <https://www.dropbox.com/s/fokd83nn4x6wuw9/OnePersonOneVote.pdf?dl=0>; see also Justin Levitt, A comprehensive investigation of voter impersonation finds 31 credible incidents out of one billion ballots cast, *Washington Post*, August 6, 2014, available at <https://www.washingtonpost.com/news/wonk/wp/2014/08/06/a-comprehensive-investigation-of-voter-impersonation-finds-31-credible-incidents-out-of-one-billion-ballots-cast>.

² 42 U.S.C. §1975a(a)(1)(B).

³ See Brennan Center for Justice, *Voting Laws Roundup 2017* <https://www.brennancenter.org/analysis/voting-laws-roundup-2017> (Feb. 3, 2017).

⁴ See Zoltan Hajnal, Nazita Lajevardi & Lindsay Nielson, Voter Identification Laws and the Suppression of Minority Votes, *The Journal of Politics*, January 5, 2017, DOI: 10.1086/688343.

Studying unnecessary barriers to voting, exploring effective ways to register voters, and making effective efforts to expand participation are key to ensuring that all voters have a say in our elections. Multiple state advisory committees to the Commission are therefore investigating voter suppression in their states: the Kansas State Advisory Committee will release a report after conducting a hearing in 2016 regarding the impact on participation of the state identification law and whether it had a disproportionate impact on the basis of race, color, age, religion, or disability; and the Illinois State Advisory Committee is holding a hearing in March to discuss possible disparities regarding access to voting and discrimination based upon the race, national origin, religion, sex, disability, and age of the electorate in that state.⁵ The Commission also recently released a report on registering voters at public assistance centers and new voter registration technologies.⁶ In its 60th year, the Commission remains steadfast in our commitment to enhance voter access as a core civil rights issue that lies at the foundation of our statutory charge.

Chair Catherine E. Lhamon reiterated this commitment: “The right to vote is fundamental to American democracy, and the Commission will continue to do all in its power to protect that right for all citizens.”

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The U.S. Commission on Civil Rights is an independent, bipartisan agency charged with studying and advising the President and Congress on civil rights matters and issuing an annual federal civil rights enforcement report. For information about the Commission and our work, please visit <http://www.usccr.gov> and follow us on Twitter: <https://twitter.com/usccrgov>

⁵ Kansas Advisory Committee to the U.S. Commission on Civil Rights Announces Public Meeting: The Impact of the Secure and Fair Elections (S.A.F.E.) Act on Individual Civil Rights in Kansas, Press Release, Dec. 9, 2015, http://www.usccr.gov/press/2015/PR_ShortKansas.pdf; “Civil rights panel weighing testimony on Kansas voting laws,” Lawrence Journal-World, Jan. 29, 2016, <http://www2.ljworld.com/news/2016/jan/29/civil-rights-panel-weighing-testimony-kansas-votin/>; Illinois Advisory Committee to the U.S. Commission on Civil Rights Announces Public Meeting: Voting Rights in Illinois, Press Release, Jan. 27, 2017, <http://www.usccr.gov/press/2017/PR-01-27-17.pdf>.

⁶ U.S. Commission on Civil Rights, Increasing Compliance with the National Voter Registration Act, August 2016, available at <http://www.usccr.gov/pubs/NVRA-09-07-16.pdf>.