



**FROM AMERICA'S LARGEST AND MOST
EFFECTIVE WATCHDOG ORGANIZATION**

8 Things You Can Do Now to Help STOP Voter Fraud

A Citizen Guide to Ensuring Free and Fair Elections

Foreword by Tom Fitton



**2026
ELECTION
EDITION**

Judicial Watch

425 Third Street, SW, Suite 800
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Because no one is above the law!®

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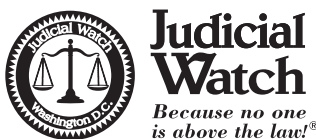
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Foreword by Tom Fitton

I welcome this opportunity to introduce you to Judicial Watch and our efforts to ensure free and fair elections for all Americans.

We have all heard about voter fraud; and as you will learn reading this citizen guide and remember from the controversies surrounding the 2020 presidential election, the problem is real, widespread and substantial to the point that it can decide elections. It also drives honest citizens out of the democratic process and breeds distrust of our government.



PHOTO CREDIT: HAIK NALTCHAYAN

The danger lies not only in the results of the fraud itself, but also in the reality that voters who fear their legitimate votes will be outweighed by fraudulent ones are likely to feel disenfranchised and discouraged, and thus will not show up at the polls to vote. The worrisome truth is that our nation's recent history consists of far too many elections which have been called into question due to credible allegations and incidents of voter fraud and other voting irregularities.

But there is good news. Across this country, Judicial Watch lawyers are working tirelessly to help ensure clean elections through the work of our **Election Integrity Initiative**.

What's also good is that *you can help*. There are important steps you can take to make sure your vote is counted ... and to help stop voter fraud at your local polling place. Judicial Watch tells you *how* in this handbook. We'll examine the problem and explain further why clean, accurate voter registration and voter ID laws matter, especially as we prepare for national congressional elections in 2026.

I would like to personally encourage you to visit the Judicial Watch website at www.judicialwatch.org for more information on our entire **Election Integrity Initiative**.

Yours for Free and Fair Elections,

A handwritten signature in black ink that reads "Tom Fitton". The signature is written in a cursive, flowing style.

Tom Fitton, President
Judicial Watch

INTRODUCTION



PHOTO CREDIT: JUDICIAL WATCH

Robert D. Popper
Senior Attorney at Judicial Watch

My background and training give me a particular interest in election integrity in America. Before joining Judicial Watch, I was Deputy Chief in the Voting Section of the Civil Rights Division of the U.S. Department of Justice, where I worked for the better part of eight years. During that time, I served as a Justice Department election monitor and team leader in a number of elections.

I believe that the topic of election integrity is among the most important that American citizens are asked to consider. Spanish philosopher José Ortega y Gasset observed that:

“The health of democracies, of whatever type and range, depends on a wretched technical detail: electoral procedure. All the rest is secondary.”¹

There are good reasons to believe that the American public needs to be reassured that elections are fair and honest. In poll after poll, for some time now, large segments of the American public have expressed their dismay with various aspects of our electoral system. One study showed that Americans have little faith in the integrity of their

elections and postulated that this partly explains low voter turnout.² A Rasmussen poll from 2016 reported that only 41% of those polled believed “American elections are fair to voters.”³ A *Washington Post*-ABC News poll from 2016 found that 46% of those polled believed that voter fraud happens either “somewhat” or “very” often.⁴

Particularly revealing is a Gallup poll that compares American attitudes with those of other countries. In a poll taken in 2016 — *before* the parties’ national conventions that summer — Americans were asked if they had confidence in the “honesty of elections.” A “record-low 30%” said that they did, while an astonishing 69% said that they did not.⁵ This trend has become worse in recent years, and the United States is now a significant outlier among the nations polled. Gallup reports that “globally, the U.S. ranks 90th out of 112 countries that Gallup has asked this question in so far this year,” and among countries that are true electoral democracies, “only Mexico (19%) ranks lower than the U.S.”⁶

These polls reveal a startling lack of faith in our electoral system. It is clear, moreover, that there are rational grounds for being concerned about the integrity — as well as the public’s perception of the integrity — of our elections. Threats to this integrity can take different forms.

For example, public faith in our electoral institutions is also harmed when election officials exhibit, or allow others to exhibit, partisanship or bias on Election Day. In my time as an election monitor, I have seen many examples of this. At one polling place, an official poll worker actively urged every voter she assisted to vote for one of the candidates. Poll workers sometimes wear

clothing emblazoned with the slogans of one of the candidates. Often, the rules about partisan solicitation inside a polling place are simply not enforced, and poll workers permit aggressive electioneering by party members or inappropriate partisan displays.

Public distrust also grows when critically important laws and regulations related to delivering absentee ballots and the deadlines for receiving those completed ballots in time for them to be counted are unilaterally changed or amended by state officials.

This problem exploded in 2020, when unscrupulous politicians exploited the pandemic to mandate dangerously risky changes to electoral procedures, ranging from mass mailings of absentee ballots to voters who did not request them, to unjustified and occasionally unlawful extensions of time for receiving absentee ballots.

One example occurred in California, where liberal Governor Gavin Newsom issued a statewide mandate ordering ballots mailed to every registered voter in the state, creating a nightmarish scenario of more than 20 million ballots to notoriously inaccurate voter registration lists being dumped into the hands of the U.S. Postal Service.

Judicial Watch filed suit in May 2020 challenging this statewide vote-by-mail mandate, contending the governor lacked the authority to issue it and that state law prohibited blindly mailing ballots to every registered voter. Newsom amended his mandate and ballots were only mailed to active voter lists, not inactive voter lists.

These observations shed an interesting light on another important electoral issue; namely, whether it is necessary to require photo identification in order to vote (voter ID).

No one would dismiss the need for legislation forbidding violence or the threat of violence at a polling place because evidence shows that such violence is rare, that few voters actually fail to vote on account of it, or that it has not swayed the outcome of a particular recent election. Similarly, no one would deny the value of laws against electioneering or partisan displays inside a polling place on the grounds that such activities did not change any vote or determine an election. The laws forbidding these activities provide some of the necessary legal safeguards that should protect our electoral process.

Voter ID laws provide the same basic kinds of protection. Allegations of fraud are a regular feature of every federal election cycle, and fraud does sway elections. For those who care to look, there are a steady stream of stories concerning electoral fraud of various kinds.⁷ But the justification for voter ID laws does not depend on establishing such fraud. It is enough that fraud should not be permitted, and that the opportunity to commit such fraud exists.

The sloppy state of our national voter rolls also creates opportunities for voter fraud. A Pew Research Center report issued during the Obama years noted that “approximately 2.75 million people have active registrations in more than one state,” that “24 million — one of every eight — active voter registrations in the United States are no longer valid or are significantly inaccurate,” and that “more than 1.8 million deceased individuals are listed as active voters.”⁸

In 2014, an even more disturbing study was released by political scientists at Old Dominion University. Their work suggests that a significant percentage of foreign nationals residing in the U.S., whether

lawfully or unlawfully present, were registered to vote in U.S. elections — and that a significant number of them actually have voted in recent years.⁹

Judicial Watch’s research into the problem began with a report issued every two years by the U.S. Election Assistance Commission regarding state voter registration practices and their compliance with the National Voter Registration Act.

These are indeed serious charges, and Judicial Watch has compiled research data to support them. I refer you to Appendix II for our list of “9 Critical Challenges to Protecting the Integrity of Our Elections,” an invaluable resource for identifying the serious threats facing American voters. They represent a particularly dangerous list of threats within a presidential administration and U.S. Department of Justice wholly committed to a partisan agenda, a key goal of which was to weaken or eliminate many of the important safeguards that have been erected at state and federal levels to protect the accuracy and integrity of our elections.

Nevertheless, Congress attempted to advance this agenda through legislation (like H.R.1, the For the People Act, and H.R.4, the John R. Lewis Voting Rights Advancement Act) that would “federalize” our elections and give the Justice Department in effect a blank check to intervene and block states from enacting commonsense election law reforms like voter ID that don’t conform with the leftist electoral agenda of stealing elections when necessary.

That’s the bad news. But the good news — and it is very good news — is that in July 2021 The U.S Supreme Court handed down a 6-3 decision in the *Brnovich v. Democratic National Committee* case that correctly

limits the extent to which Section 2 of the Voting Rights Act can be used by the Justice Department to strike down state electoral procedures. Specifically, the high court upheld provisions in Arizona’s election law that ban “out of precinct” voting and “ballot harvesting” (which some critics refer to as “vote trafficking”). Judicial Watch joined with the Allied Educational Foundation to file a “friend of the court” brief with the Supreme Court in support of the Arizona law.

Out of precinct voting is an open invitation to voter fraud, as it permits voters to cast their Election Day votes in a precinct where they are not registered. Its supporters defend this practice by arguing that it removes a potential Election Day barrier for voting, an argument that overlooks the many other options Americans have today to casting their votes in person. In fact, out of precinct voting enables fraud by making it easy for voters to vote more than once, since overworked poll voters simply do not have the time to cross-check an attempted out of precinct vote against the voter’s registered precinct.

Ballot harvesting is another bad idea. In states where it is legal, like California, it enables third parties to collect ballots from voters, usually at home or in facilities like nursing homes, and then deliver them to voting stations. But this process is fraught with opportunities for fraud, as exemplified when on Election Night 2018, Republicans were leading in several California congressional districts, only to lose most of them after absentee and “harvested” ballots were counted.

But voter fraud is not confined to one political party.

In North Carolina's November 2018 election for the state's 9th Congressional District, the Republican incumbent squeaked out a narrow "win" over his Democratic opponent, but soon allegations of potential ballot manipulation were raised and the state elections board refused to certify the Republican's reelection. The elections board launched an investigation which proved that a GOP consultant paid local people he enlisted \$125 for every 50 mail-in ballots they collected and submitted to him to turn in.

Ballot harvesting like this is illegal in North Carolina, and the consultant's scheme clearly created the opportunity of altering ballots before turning them in to election officials. The state election board declared the 9th Congressional District seat vacant and, citing ballot fraud, ordered a new election. The incumbent Republican congressman, citing health issues, withdrew from the special election.

Arizona decided to outlaw these dubious practices, but like Texas and other states passing laws to protect the integrity of their elections, the state came under immediate legal attack by the Left. According to the Left — and large news outlets dutifully report — these new state laws represent a "tsunami" of legislation "restricting the right to vote." The Left claims that states reforming their mail-in voting laws (as COVID-19 fears retreat) are engaged in voter suppression and make the outrageous claims that these actions represent the "new Jim Crow."

These claims are, of course, preposterous.

At best, they reveal startling historical ignorance. Grandfather laws, absurd literacy tests, poll taxes, intimidation and terroristic

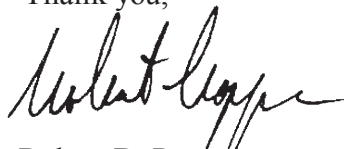
violence of the Jim Crow era have nothing to do with, say, Ohio's restriction of early voting from 35 to 29 days, or with limiting same-day registration. Nor do they have anything to do with Arizona's ban on out of precinct voting and ballot harvesting.

Thankfully, in his majority opinion, Associate Justice Samuel Alito affirmed what Judicial Watch has been arguing for several years — states have legitimate interests in passing and enforcing laws that prevent voter fraud.

The Supreme Court decision in *Brnovich* is a home run for cleaner elections and destroys Biden administration attacks on election reform laws passed in several states this year. Yet, although *Brnovich* sets a very high hurdle for the Left to clear as they continue to attack commonsense state election law reforms, this battle will most certainly continue, both in Washington and in states across the country, right up to Election Day 2026.

And as always, it is vital that law-abiding Americans understand what is at stake when it comes to our election laws and electoral procedures. By reading this handbook you have taken an important step in a growing effort to restore Americans' faith in their electoral institutions. In light of these realities, it simply makes sense for American citizens to act to help ensure that voter fraud never becomes a significant problem.

Thank you,



Robert D. Popper

VOTER FRAUD — FACT OR FICTION?

The Left and their partisan surrogates would like you to think that voter fraud and errors on Election Day hardly exist and have had no impact on elections. We sometimes also hear claims suggesting that voter registration fraud is somehow not voter fraud. These are myths intended to mask blatant attempts to affect the outcome of elections by registering people — both legally *and* illegally — who are likely to support leftist politicians.

The bottom line, of course, is that all Americans who are legally eligible to vote, regardless of their political beliefs, should be able to vote ... and to have that vote counted. The perception of fraud keeps people who should vote away from the polls; the existence of fraud can neutralize legitimate votes and even change the outcome of elections.

Contrary to claims of some election officials in some states, fraud, incompetence, intimidation and inaccurate voter registration records do exist, and the consequences are alarming. In fact, according to an Obama-era study by the nonpartisan Pew Research Center on the States research organization, more than 24 million voter registration records in the United States — about one in eight — were inaccurate, out-of-date or duplicates. Some 2.8 million people were registered in two or more states, and as many as 1.8 million registered voters were dead.¹⁰

An even more shocking study was released in 2014 by political scientists from Old Dominion University. They polled a large sample of foreign nationals residing in the United States, including both lawfully and unlawfully present aliens.

The authors concluded that 14% of these foreign nationals were registered to vote in U.S. elections. They further concluded that 6.4% of them voted in 2008, and 2.2% voted in 2010.¹¹ As you might expect, the law forbids noncitizen registration and voting in state and federal elections. If these figures are even remotely accurate, and if the results can be generalized, the implications are staggering. This study suggests that hundreds of thousands of noncitizens may have voted in federal elections, and many more are registered to vote. This bombshell study argued it is a realistic possibility that American elections were altered by the illegal votes of noncitizens. For example, the authors conclude that “there is reason to believe noncitizen voting changed one state’s Electoral College votes in 2008, delivering North Carolina to Obama, and that noncitizen votes have also led to Democratic victories in congressional races including a critical 2008 Senate race that delivered for Democrats a 60-vote filibuster-proof majority in the Senate.”¹²

Even apart from this study, there are many individually documented cases of noncitizens casting fraudulent ballots in recent U.S. elections. In December 2013, Michigan Secretary of State Ruth Johnson asked her attorney general to investigate 10 noncitizens who voted in Michigan elections.¹³ Ohio Secretary of State Jon Husted was able to confirm that at least 17 noncitizens voted in Ohio in the 2012 presidential election.¹⁴ A 2012 Philadelphia City Commissioner report on voter fraud confirmed that 19 noncitizens were registered in the city, with at least seven voting.¹⁵ A Bosnian citizen was among those illegally registering and voting in Iowa.¹⁶

In 2018, 19 foreign nationals were charged in North Carolina for voting, including some who had voted in multiple elections.¹⁷ That same year, several other foreign nationals were convicted in Illinois and Texas.¹⁸ And the results of a 2018 congressional election in North Carolina were thrown out after a campaign operative hired by one of the candidates engaged in illegal ballot harvesting.¹⁹

Aside from voting, noncitizens are also registering at an alarming rate. In the *2016 Election Administration & Voting Survey*, Ohio, Delaware, Nevada, Wyoming, Oregon, Colorado, Florida, Texas and Arizona reported to the federal Election Assistance Commission the cancellation of over 1,500 registrations due to noncitizen status. Virginia alone has canceled 3,398 registrations due to noncitizen status. In Judicial Watch's lawsuit against Maryland for election-related documents, we learned that over 4,000 registrations were canceled for belonging to noncitizens. And in a suggestive study from 2005, the Government Accountability Office found that perhaps 3% of 30,000 persons called for jury duty from voter registration rolls in a single U.S. district court were not U.S. citizens.²⁰

Does that sound like a problem that *hardly exists*? In fact, it is highly likely that election results in recent years were affected by errors, inaccuracies and outright crimes.

What possible explanation can there be for the fact that in hundreds of U.S. counties there are more registered voters than there are citizens old enough to vote? Judicial Watch found this to be the case across the country. A Judicial Watch investigation in 2017 found that the number of voter registrations exceeded the number of citizens over the age of 18 in 462 U.S. counties. In other words,

those counties' registration rates exceeded 100% of the population eligible to register. (Remarkably, we even found 15 U.S. counties that reported more voter registrations than their total populations, including minors and noncitizens!) These 462 counties constitute 17% of all U.S. counties where we had enough data to make these calculations.

A Judicial Watch investigation in 2017 found that the number of voter registrations exceeded the number of citizens over the age of 18 in 462 U.S. counties. In other words, those counties' registration rates exceeded 100% of the population eligible to register.

In 2017, Judicial Watch sent warning notices to 12 states containing over 100 counties that had more registered voters than citizens of voting age. On the basis of the responses received, we sued the State of California and Los Angeles County, and the Commonwealth of Kentucky, for violations of the federal National Voter Registration Act (NVRA).

And, in 2018, we won. Under our legal settlement agreement, California and Los Angeles County sent address confirmation letters that could lead to the removal of up to 1.5 million ineligible voter registrations in Los Angeles County alone. This is a

huge number — larger than the populations of some states! — and about 20% of the county’s voter rolls. We also obtained a court-ordered consent judgment in Kentucky. Even now they are sending hundreds of thousands of address confirmation cards to voters who are probably no longer on the rolls.

All told, these and other examples of Judicial Watch’s program to enforce the voter roll cleaning provisions of Section 8 of the NVRA have shown to be a smashing success. We remain the only private litigant to enter into a statewide settlement agreement to enforce Section 8 of the NVRA, which we have done three times, in Ohio, Kentucky and California.²¹ In addition, a Judicial Watch lawsuit against Indiana became moot by virtue of the state’s list maintenance efforts during the course of the lawsuit.²²

Currently, Judicial Watch is pursuing lawsuits in federal court against California, Illinois and Oregon over their failure to clean their voter rolls as required by Section 8.

Perhaps election officials who don’t maintain clean voter lists share the viewpoint of the chair of the Illinois Board of Elections, who was recently quoted as saying, “There’s nothing we can do about any of this because we don’t have any money to stop the fraud.”²³ Apparently, this official was motivated more by budget problems than the need to ensure clean elections.

It’s also important to point out that the government’s abuse of federal law has made the problem of voter fraud harder to address. The NVRA, passed in 1993, is also called the “Motor Voter Law” because Section 5 of the law requires driver’s license offices and motor vehicle departments to offer voter registration. Section 7 of the law requires voter registration opportunities to be offered

at all government offices providing public assistance.

There is, however, another important provision of the law: Section 8, which mandates that the states shall make a reasonable effort to clean up the registration rolls by eliminating those who have moved or are deceased. Obviously, the still-active registration of a voter who has moved away or died provides an opportunity for a fraudulent vote. Judicial Watch’s successful lawsuits against multiple states were all brought under this crucial provision, as are our current lawsuits against California, Illinois and Oregon.

Yet, consider the words of election integrity expert J. Christian Adams reporting on a meeting he attended when he was a lawyer employed by the U.S. Department of Justice:

I recall a meeting in November of 2009, when Julie Fernandez [Deputy Assistant Attorney General for Civil Rights] came to the Voting Section and assembled everybody in the room and announced that they would not be enforcing this provisional law during the Obama administration. They plainly said in no uncertain terms that Section 8 of the motor voter law was not something they had an interest in, because it had nothing to do with increasing minority turnout.²⁴

The message here is that the Obama Justice Department had decided which aspects of existing voting rights law are to be enforced, based on what will keep fraud politics in office. And it’s clear that Section 8 was intentionally ignored, as no Section 8 lawsuits were initiated by the Obama administration.



WIKIMEDIA COMMONS

The Robert F. Kennedy Department of Justice Building in Washington, D.C.

Incredibly, no Section 8 lawsuits were initiated by the first term Trump Justice Department, and none were initiated by the Biden Justice Department. This abject failure of the Justice Department under both Republican and Democratic administrations to do its duty is the principal reason that Judicial Watch has stepped into the breach to force states to make reasonable efforts to clean their voter rolls between elections.

Fortunately, although Judicial Watch is still doing the “heavy lifting” of litigation, the second term Trump Justice Department filed “statements of interest” this summer in voter roll lawsuits against Illinois and Oregon.

The story is not the same, however, for Section 7. What happened in Colorado is a telling example of the Obama administration’s strong-arm tactics in implementing the voter registration requirements of Section 7. The threat of a lawsuit forced state election

officials to work with ACORN front Project Vote in setting up increasing opportunities to register to vote at welfare and other public assistance offices.

The results were disastrous. In fact, the number of rejected registrations — or at least the ones that were caught — rose to more than *four times the national average*.²⁵ Several other states had to deal with the same threats and attempts to use federal voting law to achieve partisan, Democratic aims.

In Colorado’s case, the state reacted to the *threat* of a lawsuit by the Justice Department. In South Carolina, Texas and North Carolina, the Justice Department filed suit and specifically opposed state voter ID laws intended to protect the integrity of the voting process. The Justice Department lost in South Carolina (and had to pay legal fees), but ultimately prevailed in North Carolina.

After the election of Donald Trump, the Justice Department withdrew its position and supported Texas' voter ID law, but the Biden Justice Department (the 2021 Supreme Court's *Brnovich* decision notwithstanding) continued to challenge state attempts to enact voter ID laws as part of their election law reform efforts to minimize voter fraud.

Then there's the problem of intimidation. Perhaps the most flagrant example of interference with the election process occurred during the 2008 general election. Two members of the New Black Panther Party, Minister King Shabazz and Jerry Jackson, were charged with voter intimidation for confronting voters attempting to enter a precinct polling station in Philadelphia.²⁶

There's also the famous case in which Democratic party officials were convicted of conspiracy, forgery and official misconduct in the 2008 presidential primary election. According to the testimony of two former Board of Election officials who pled guilty, St. Joseph County Chairman Butch Morgan ordered Democratic officials to fake the

names and signatures that Obama and Clinton needed to qualify for the 2008 presidential race.²⁷

In Indiana, a candidate must secure 500 signatures from each of the state's nine congressional districts in order to appear on the ballot. Barack Obama managed to qualify — barely — with 535 signatures. However, Erich Speckin, an expert forensic document analyst hired to review the documents, told the *South Bend Tribune* that up to 270 of the ballot signatures for candidate Obama were fraudulent. People whose names appeared on the Obama and Clinton petitions were contacted to confirm the forgeries, and many were shocked to find that their names had been used.

While Morgan was sentenced to prison, the larger question is whether or not Obama should even have been on the ballot.²⁸

Lists of news reports pertaining to allegations, investigations and convictions for voter fraud are available and regularly updated at The Heritage Foundation.²⁹



SHUTTERSTOCK

WHY VOTER ID LAWS MATTER

The argument we often hear from leftist commentators is that voter ID laws (typically laws that require a photo ID to register and vote) tend to discourage minorities, young people and the elderly from voting. The target of the most ardent attacks is the inclusion of a photo ID as a requirement to identify a voter. Yet, we know from reputable surveys that the commonsense use of photo IDs is supported by every demographic group in America. Two-thirds of African Americans support voter photo ID; two-thirds of Hispanics; two-thirds of liberals; and even two-thirds of those who consider themselves to be Democrats.³⁰

Former President Obama, when he was a senator, likened photo identification to a new form of poll tax; Debbie Wasserman Schultz, his handpicked chair of the Democratic National Committee, said that Republicans want to “drag us all the way back to Jim Crow laws.”³¹ Former President Bill Clinton said that one of the most pervasive political movements going on outside Washington today is the determined effort to keep most of our youth from voting next time. Adding to the vitriolic spew is Phil Noble, president of the South Carolina New Democrats, who said, “Instead of having hoods and Klan meetings, we’ve dressed it up as law, but it still has the same effect as a barrier to keeping black folks from voting.”³² The Obama administration backed Justice Department lawsuits to block voter ID laws in North Carolina, Texas and South Carolina, and the Biden administration followed suit. The second Trump administration, however, is far more supportive of voter ID laws.

Even in those states that require a photo ID, a voter who comes to the polls without one will not lose their opportunity to vote.

There is simply no evidence to support the contention that the use of photo IDs discourages legitimate voters from voting. In fact, in states such as Indiana and Georgia where photo ID requirements have been implemented, studies show that voter turnout has actually increased.³³ And in the first election with Alabama’s new voter ID law, minority turnout increased.³⁴

Additionally, opponents of voter ID purposely ignore an important point. Even in those states that require a photo ID, a voter who comes to the polls without one will not lose their opportunity to vote. If there is any question about a voter’s eligibility, federal law requires that the voter be provided a provisional ballot, which can be submitted and will be counted as long as the voter is, in fact, subsequently determined to be eligible.

8 Things You Can Do Now to Help STOP Voter Fraud

Clearly, our election process is vulnerable to incompetence, errors, oversights and blatant corruption, which can happen at any point during the process. This is why YOU and people like you — people who are willing to volunteer their time and services to ensure free and fair elections, a process that encompasses events before, during and after Election Day — are asked to participate.

You might ask: “What can I do? I don’t work for the city or town, I’m not on an election board, and I don’t even work for a candidate.” The answer may surprise you. In fact, there is much you can do, and it mostly involves being present, watchful and willing to question and speak out as permitted by state law and election officials.

1. Become a Poll Worker

First and foremost, you can, if you wish, become a *poll worker*.³⁵

Poll workers are usually volunteers who are hired and trained by election officials and typically work at a local precinct throughout Election Day. As a poll worker, your primary focus will be on certain duties, such as preparing the precinct by helping to set up voting equipment and distributing election supplies, greeting voters and helping them to sign in, checking voter registrations and handing ballots to voters. You may also be called upon to provide instructions to voters on how to use the voting machines; and once the polls are closed, you will likely be involved in closing the precinct.

A disadvantage of serving as a poll worker is that while you can help ensure that the election process under your control is honest and fair, you have limited ability to observe the actions of others: voters, other poll workers, election board members and people who may or may not have a legitimate reason for being present at a polling place.

A position that will enable you to make a significant contribution to ensuring accuracy and fairness in elections is that of a *poll watcher*.

2. Become a Poll Watcher

Poll watchers — called “poll observers” in Massachusetts and California, and “challengers” or “checkers” in Illinois — have certain rights and obligations and must adhere to prescribed rules (depending on state law, which varies somewhat from state to state). For example, the state of New York allows each candidate on the ballot to have up to three poll watchers per

precinct, only one of which can stand or sit next to the table with the election officials; while Massachusetts permits one per candidate, and none within six feet of the check-in or check-out station.

In Illinois, on the other hand, the number is unspecified, but in the case where a polling place becomes overcrowded with poll watchers, the election officials (called “poll judges”) may decide to limit the number by drawing lots, but to no less than one for each candidate (as well as one for each of the other permitted groups). Illinois also uses ballot applications and signature verification records and, in terms of where they can stand, poll watchers are allowed to be near enough to the election officials to compare the signature on the application with the verification record.

The city of Chicago permits a single poll watcher per candidate in a primary election and two per candidate in a general election. Poll watchers are allowed to be close enough to election officials to see and hear instructions to voters.

What you need to know in becoming a poll watcher:

Following are rules that *generally* apply within the states. The important point is that all states and precincts permit poll watchers. *You should also know that your rights as a poll watcher and what you can and cannot do are determined and regulated by each state.* Guides for poll watchers are published by most states, and you should be able to obtain a copy through your state election commission.

- In most states, the prospective poll watcher must present signed credentials to the election officials, typically a completed appointment certificate or authorization form signed by a candidate, the state chair of a party, or a representative of a group seeking the passage/defeat of ballot measures.
- In some states, such as South Carolina, a letter signed by a candidate is acceptable, while in other states, such as Massachusetts, presenting credentials to an election official is recommended but not essential.
- Poll watchers often must be registered voters in the state; and in certain instances, depending on the state and the election, they may need to be a registered voter in their particular precinct or district. (In Massachusetts, however, poll observers are not limited to where they live and may change poll locations.)
- Poll watchers are permitted to be present: a) before the polls open to observe the set up procedures; b) during voting hours to observe the voting process; and c) after the polls close to observe the counting of ballots.
- A poll watcher wishing to challenge what may seem to be questionable activity on the part of a voter or a poll worker should state their objection(s) to the head of the election officials at the polling station. A voter who is challenged may be given a provisional ballot. A provisional ballot allows that person to cast a vote, but it is not counted — and is usually retained in a separate location — until the validity of the challenge is determined.



UNITED STATES ELECTION ASSISTANCE COMMISSION

Visit www.eac.gov/election-officials/poll-watchers

How to become a poll watcher:

The easiest and surest way is to “volunteer” through the headquarters in your state for the candidate or party of your choice and become certified. You will then need to contact local officials before Election Day to let them know you wish to be a poll watcher.

Alternatively, you could contact one of the other groups listed in this guide, depending on where you live. But again, your best bet is to contact the candidates or party of your choice, and they will be happy to help you learn what you need to do to sign up as a volunteer.

What to look for as a poll watcher:

As a poll watcher, you will need to be vigilant at all times before the polls open, during voting hours, and during the counting of votes after the polls close. (You can also be present when the absentee votes are counted, even at nursing homes.) You will ensure that the ballot box registers “0” ballots as the polls open, and also ensure at the close of the polling station that the remaining blank ballots are destroyed or otherwise rendered unusable. A few examples of what you will be looking for are:

- Voters reading their name or address from a piece of paper, which could suggest they are not the person they say they are.
- Someone known to be deceased or an address known not to exist. (You may know this from the voter registration research done prior to Election Day.)
- More than one person in a voting booth at the same time, unless one of them is a child under 18, or unless a disabled person has requested assistance.
- An intoxicated voter being given assistance in a voting booth.
- A voting machine not working properly.
- A voter speaking softly in stating a name and address so that others can’t hear.
- A person attempting to vote who is not a registered voter.

- A person attempting to vote who has already voted.
- Voters who try to leave the polling place with a ballot.
- People with election materials (signs, buttons, pamphlets, etc.) within a distance to the entrance of the polling place proscribed by state law (for some states, this distance is 100 feet, while for others it is much less).

What you cannot do as a poll watcher:

While you do have certain rights as a poll watcher, in practically all states there are things you cannot do. First and foremost, you cannot talk with a voter at any time before, during or after the voting process. If you wish to challenge a particular voter or you see something suspicious, you must speak directly with the head of the election officials for the precinct you are observing. (In some states, you are allowed to speak with the police officer on duty.) Other things you cannot do:

- You cannot interfere with the election process in any way. You cannot be in the way or block the view of poll workers.
- You cannot use a cellphone inside the polling place. (In Massachusetts, believe it or not, you can bring a camera inside and take photos and videos of people but not the contents of any ballot. Also, you cannot record check-in and check-out audio.)
- Typically, you are not allowed to use the materials provided to poll workers. You should bring your own pencils, paper, chair, registration lists, etc.
- You cannot wear political buttons, stickers, jewelry or clothing of a political nature.
- In many states, you are not allowed to speak directly with the poll workers, just the head of the election officials (the judge or judges).
- You cannot be a poll watcher if you are on the ballot as a candidate for an office, or if you are an elected official whose name appears on the ballot, or a poll worker, a police officer or any law enforcement official.

If you have a question about what you can and cannot do, guides are published by each state. If you are interested in being a poll watcher at your local precinct, you may want to attend the training sessions for poll workers and election judges.

Training programs for poll workers are usually conducted at the county level. They may also be augmented online and with published training materials. Attending available sessions is your right. The election commission in your state will have the details.

3. Perform Voter Registration Research

Without question, the key to ensuring voter integrity during an election is being able to verify that the names and addresses on the voter registration list are legitimate and up-to-date. In each

state, voter registration lists can be obtained ahead of the election. Checking these lists against other available data is a laborious, time-consuming — but essential — job for which your help would be definitely welcomed.

While voter registration lists can be purchased from an online service and directly from some of the states (either of which can be expensive), you should have no difficulty getting a copy of the list for your precinct from the state headquarters of your candidate or your party.³⁶ You can also file an “Open Records” request with your state.

What else can you do? The following are a few ideas to make your voice heard.

4. Speak Out at Election Board Hearings and Local Precinct Sessions

Meetings and hearings of election boards — called election divisions and election centers in some states — are an excellent opportunity to find out what’s going on and what issues are and are not being addressed. It is your right both to ask questions when the opportunity presents itself during the hearing and to voice your opinion. Discussions about dead people voting, electronic voting fraud and ballot tampering *should* come up; if not, you can raise these important issues.

Your state’s office of the secretary of state (or commonwealth) should be able to help you find out more about election board meetings. You can also ask questions, should you decide to attend training sessions held by your local precinct for poll workers.

5. Write “Letters to the Editor” and Opinion Editorials

Letters to the editor can be an extremely important tool for grassroots activists in election reform. They allow you to comment on and respond to articles in local and national papers. While such letters may seem trivial, many legislators and policy makers keep an eye on letters to the editor so they can find out what the public is thinking about a particular issue.

An opinion editorial is similar to a letter, in that it is printed on the editorial page, but differs in some key ways. An op-ed is generally longer than a letter to an editor, and it provides more in-depth analysis and commentary on a particular policy alternative or article. You need to be concise, honest and relevant. Be sure that your facts are correct and include your contact information so the paper can get in touch with you. Also, you should check with the editor of the publication to obtain the guidelines for op-ed writing and submission.

6. Call In to Radio Talk Shows

Each day, millions of people tune in to talk radio at home or during their commutes to and from work. You can reach thousands of people at a time by calling in to these shows, even local or regional shows — which are your best bet, especially since you will want to be talking about election fraud in your state.



SHUTTERSTOCK

You will need to write down what you want to say before you call in, so you can voice clearly the points you want to make when it's your turn. Every radio show has a call screener who will want to know who you are and what you want to talk about. Have a one-line answer prepared. Also, make sure you are calling in to a show in which the subject being discussed is relevant or at least conducive to what you want to talk about.

7. Create Your Own Blog, or Blog on Other Sites

A blog is a type of website or part of a website on which a person regularly posts content, commentary or links to interesting items, such as articles on news websites. Today, there are millions of blogs on the internet ranging in topics from politics to personal lives.

You can also start your own blog and share your opinions with the world. You'll need to define your goals and select a topic and, if you can, find a subject or style that makes your blog unique. Election fraud is a sensitive issue, and you should have no difficulty getting people to respond. You should be well-informed by staying on top of relevant events and what the media are saying in your state and region. There are many books on how to get a blog going, how to make it effective, and how to publicize your blog.

8. Be Active in Social Networking

Millions of people have found that social networking sites like Facebook and X are an effective way to communicate and to organize. If you haven't already joined in, go to www.facebook.com. There you'll find an easy-to-use sign-up form. Enter your name, email address and birthday, and create a password. It's that easy. Facebook will help you find friends — people you wish to connect with — by accessing your email account's address book. As you'll soon find out, you can edit your privacy settings to control who can see the information you post on your profile.

X is a simpler social networking tool in which you post short messages that are limited to 280 characters. With these messages, you can tell your friends what you're doing, share interesting news stories or just say what is on your mind. Go to www.x.com and sign up with Google or Apple, or create an account. You'll be on your way to expressing your opinions through social networking.

CAN YOU ACTUALLY MAKE A DIFFERENCE?

The short answer is “Yes”... definitely!

In every county in every state where more people are listed on voter rolls than are counted in the Census, there is a problem — and one that can lead to fraud. Recently, in Montgomery County, Maryland, volunteers meticulously combed through the voter registration rolls and reported to state election officials 5,400 irregularities in the 7,000 records examined.³⁷ While some of these errors were perhaps minor, almost certainly, without this critical volunteer help, people who are not eligible to vote would have voted in the next election.

Clearly, the voter registration rolls in many states are notoriously a mess, and the job of cleaning them up can be greatly improved with the help of volunteers like you, either working through a local group or simply as an individual. Your help is needed both to examine voter registration rolls and to act as poll workers and poll watchers for your precinct.

Only in this way we can ensure free and fair elections.

Organizations you can contact:

For information on the status of voter fraud cases in the U.S.; press releases, articles and special reports on related subjects; and in particular, Judicial Watch’s election integrity initiatives.

Judicial Watch

425 Third Street, SW, Suite 800
Washington, DC 20024

Tel: 888-593-8442 (toll-free)
Email: info@judicialwatch.org
Web: www.judicialwatch.org

The American Constitutional Rights Union, through its Voting Integrity Institute, provides education and policy advice on critical voting and election integrity issues to state legislators, secretaries of state, attorneys and citizen activists.

The American Constitutional Rights Union
305 5th Avenue South, Suite 204-G
Naples, FL 34102

Tel: 877-730-2278
Web: www.theacru.org

The Heritage Foundation maintains a publicly accessible Election Fraud Database that has identified more than 1,300 proven cases of voter fraud. The database demonstrates the vulnerabilities of America’s elections and the many ways that voter fraud is committed.

The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002

Tel: 202-546-4400
Web: www.heritage.org

Public Interest Legal Foundation is a public interest law firm dedicated to election integrity. It exists to assist states and others to aid the cause of election integrity and fight against lawlessness in American elections. The Foundation seeks to protect the right to vote and preserve the constitutional framework of American elections.

Public Interest Legal Foundation
107 S. West Street, Suite 700
Alexandria, VA 22314

Tel: 703-745-5870
Web: www.publicinterestlegal.org

APPENDIX I

THE JUDICIAL WATCH ELECTION LAW ENFORCEMENT RECORD

Judicial Watch today is the most powerful and broadly supported government watchdog organization in America defending the American people against corruption, abuse of power and constitutional overreach. Judicial Watch's commitment is to uphold the rule of law and fight for transparency in government and the "people's right to know."

Judicial Watch has scored important victories in the critical fight to keep American elections honest by doing the job that the Justice Department, under both Republican and Democratic administrations, has consistently failed to do: challenging states to comply with federal law by taking reasonable steps to keep their voter rolls accurate. Judicial Watch has also successfully defended states seeking court protection to enact or defend commonsense voter ID measures and is now challenging efforts by three states to "extend" Election Day past the day set by federal law.

Here are recent Judicial Watch honest elections legal highlights:

- In November 2025, the **U.S. Supreme Court** granted a petition for a writ of certiorari in **Judicial Watch's** lawsuit challenging **Mississippi's** statute extending **Election Day** for five working days beyond the date established by federal law, meaning the High Court will hear arguments in this case in this 2025/2026 session. Previously, the **U.S. Court of Appeals for the Fifth Circuit** agreed with **Judicial Watch** that it was unlawful for **Mississippi** to count mail ballots received after **Election Day**.
- In October 2025, the **U.S. Supreme Court** heard oral arguments in **Judicial Watch's** appeal of the decision of the U.S. Court of Appeals for the Seventh Circuit on behalf of Congressman Mike Bost and two presidential electors to challenge the **Illinois law** extending **Election Day** for 14 days beyond the date established by federal law.
- In 2025, **Judicial Watch** filed a similar federal lawsuit against **California** on behalf of **Congressman Darrell Issa** to prevent state election officials from "extending" **Election Day** by receiving and counting mail ballots for seven days after the date established by federal law.
- In March 2025, **Judicial Watch** sent a letter to the **Lieutenant Governor of Utah** informing her that Utah is in violation of the **National Voter Registration Act's (NVRA)** public disclosure requirements. The NVRA requires states to "make available for public inspection" all records concerning the implementation of programs conducted for the purpose of ensuring the currency and accuracy of state voter rolls. This provision is designed to allow groups like **Judicial Watch** to use voter lists to monitor state voter rolls for fraud and accuracy. **Utah** is not in compliance with federal election law, and unless this issue is resolved within the statutory period, we will sue the state.

- In 2025, a **U.S. District Court** judge in **Maryland** struck down a state Board of Elections regulation that restricted and criminalized the use of voter registration lists for voter fraud and other “investigations.” Not only did **Judicial Watch** file a “friend of the court” brief in this lawsuit, but the judge’s ruling directly cited a separate **Judicial Watch** 2020 court victory in **Maryland** that opened up voter rolls to public scrutiny under federal law and determined that the regulation in question violated the **NVRA**.
- In January 2025, **Judicial Watch** received information from the **District of Columbia** Board of Elections revealing that 388 noncitizens voted in DC’s November 2024 general election. Previously, in July 2024, **Judicial Watch** received records showing that as of June 2024, 583 foreign nationals were registered to vote in **Washington, DC**. The records from the Board of Elections also confirm that noncitizens can be election workers.
- In November 2024, **Judicial Watch** sent a team of lawyers and volunteers to precincts in Milwaukee and Dane Counties, **Wisconsin**, to monitor Election Day voting for the 2024 general federal election.
- In October 2024, **Judicial Watch** filed a lawsuit on behalf of itself, the **Constitution Party of Oregon**, and two registered Oregon voters against the State of Oregon over its failure to comply with the **National Voter Registration Act** and make reasonable efforts to remove the registrations of ineligible registrants from its voter lists. In its complaint, **Judicial Watch** argued that 29 of **Oregon’s** 36 counties removed few or no registrations as required by federal election law. This lawsuit is active.
- In May 2024, **Judicial Watch** sued **California** to force it to clean up its voter rolls. The lawsuit, filed on behalf of Judicial Watch and the **Libertarian Party of California**, asked the court to compel the state to make “a reasonable effort to remove the registrations of ineligible registrants from the voter rolls” as required by federal law. This lawsuit is active.
- In March 2024, **Judicial Watch** filed a lawsuit on behalf of itself, two nonprofits, and an **Illinois** registered voter against **Illinois** officials for failing to comply with the **National Voter Registration Act** and for failing to remove ineligible registrants from the state’s voter lists. This lawsuit is active.
- In November 2023, **Judicial Watch** noticed violations of the NVRA, sending letters to **the District of Columbia Board of Elections** for failure to remove ineligible registrants from the voter rolls. In response, the **District of Columbia** agreed to remove 103,000 registrations that were no longer eligible.
- In July 2023, **Judicial Watch** filed an amicus curiae (friend of the court) brief, supporting the decision of the **U.S. District Court for the District of Maine**, which struck down Maine’s policy restricting the use and distribution of the state’s voter registration list. According to a national study conducted by **Judicial Watch** in 2020, **Maine’s** statewide voter registration rate was 101% of eligible voters.

- **Judicial Watch** in July 2023, settled a federal election integrity lawsuit on behalf of the **Illinois Conservative Union** against the state of **Illinois**, the **Illinois State Board of Elections**, and its director, which granted access to the current centralized statewide list of registered voters for the state for the past 15 elections.
- In April 2023, **Pennsylvania** settled with **Judicial Watch** and admitted in court filings that it removed 178,258 ineligible registrations in response to communications from **Judicial Watch**. The settlement commits **Pennsylvania** and five of its counties to extensive public reporting of statistics regarding their ongoing voter roll cleanup efforts for the next five years. It also required the state to partly reimburse **Judicial Watch's** legal fees.
- In March 2023, **Colorado** agreed to settle a **Judicial Watch** NVRA lawsuit alleging that **Colorado** failed to remove ineligible voters from its rolls. The settlement agreement required **Colorado** to provide **Judicial Watch** with the most recent voter roll data for each county every year for six years.
- In February 2023, **Los Angeles County** confirmed the removal of 1,207,613 ineligible voters from its rolls since the previous year, under the terms of a settlement agreement in a federal lawsuit **Judicial Watch** filed in 2017.
- **Judicial Watch** has also provided legal assistance to states seeking to enact **voter ID laws** and other commonsense measures to protect honest elections. We have helped defend **Pennsylvania** and **South Carolina voter ID laws** in court.
- And **Judicial Watch** successfully challenged a hyper-partisan congressional redistricting plan in **Maryland** drawn up by the Democratic-controlled legislature that violated accepted redistricting guidelines. A **Maryland** court threw the legislature's plan out and required the legislature to draw a new redistricting plan that passed legal muster.

APPENDIX II

9 CRITICAL CHALLENGES TO PROTECTING THE INTEGRITY OF OUR ELECTIONS

Judicial Watch faces many adversaries in ongoing legal battles to protect the integrity and honesty of American elections.

Many left-wing groups like the ACLU and some funded by radical billionaire George Soros want to relax laws designed to restrict voting to eligible U.S. citizens and vociferously oppose new laws (such as voter ID) that would make it more difficult for ineligible individuals, including non-U.S. citizens, to vote. Their “open-borders” goals clearly include open elections!

The first Trump Justice Department showed some interest in the National Voter Registration Act (NVRA) law enforcement and joined with Judicial Watch in one case after we initiated an NVRA lawsuit. But it was not enough, as the Deep State Obama-era federal office holdovers resisted any further action. Although the Biden administration showed no interest in pursuing NVRA enforcement, the second Trump Justice Department is showing a more positive attitude. Yet Judicial Watch has filed many more NVRA lawsuits than the U.S. Department of Justice, whose authority it is to defend the National Voter Registration Act.

Finally, state election officials (Democrats and Republicans) often resist carrying out NVRA requirements to clean voter rolls between elections. Their biggest objection to cleaning their voter rolls of deceased and other ineligible voters is principally related to the cost of mailing postcards and actually removing names from voter rolls.

At Judicial Watch we reject both the ideological agenda of our opponents and the misplaced bean-counting objections of others. We believe that nothing is more important to the maintenance of our constitutional republic than honest and accurate elections conducted transparently and according to the rule of law.

That is why we devote so much of our time and resources to the work of election law enforcement and standing firm for the rule of law and the electoral process. As we approach national elections in 2026, we face nine critically important challenges to the honesty and integrity of elections.

1. Enforcing the National Voter Registration Act in Order to Prevent Voter Fraud

The National Voter Registration Act (NVRA) was enacted by Congress and signed into law by President Bill Clinton in 1993.

The NVRA's Section 7 was designed to enhance voting opportunities for Americans, including making it easier to register to vote and providing services for persons with disabilities. This first goal of the NVRA has been met, as from 1992 to 2012 the national voter registration rate in America has increased by more than 11%.

The NVRA's Section 8 was designed to help protect honest elections by requiring that states and local jurisdictions "*conduct a general program that makes a reasonable effort to remove the names of ineligible voters*" from voter rolls if they have died or moved elsewhere. At the time the NVRA became law (under a Democratic Congress and president) it was generally understood and accepted that "clean" voter rolls are one of the best deterrents to voter fraud, since the presence of ineligible individuals on voter rolls makes it easier to cast fraudulent ballots. This provision of the NVRA was considered so important that, under Section 8, the U.S. Department of Justice is empowered to sue states that fail to comply with this voter cleaning requirement.

Sadly, it has become very clear that many states, both "red" and "blue," are failing to follow the voter roll cleaning requirements of Section 8. Judicial Watch confirmed this through independent research we undertook in 2017 showing 462 counties nationwide where the number of voter

registrations exceeded the number of citizens over the age of 18 (the voting age) who resided in those counties. In other words, those counties' registration rates exceeded 100% of the population eligible to vote — an impossible correlation which federal courts have held is sufficient grounds to believe that a jurisdiction is not fulfilling its required list maintenance obligations under Section 8.

That's why Judicial Watch investigates, researches and applies legal pressure on states to take the required reasonable steps to clean their voter rolls of inaccurate and outdated data. And we do so because the Department of Justice has repeatedly failed to prosecute states for neglecting to take reasonable steps to maintain the accuracy of their voter registration rolls.

Judicial Watch has plowed new ground in independent legal action to compel states to clean their voter rolls, and we will continue our investigations and litigation until such time as the Justice Department begins to assume its responsibilities under Section 8 of the NVRA. Until that time, Judicial Watch proudly assumes the role of “the People's Justice Department.”

2. All Mail-In Ballots Voting

“All mail-in ballots” voting is also known as “postal voting.”

This method of voting describes a system where ballots are both distributed to voters and returned by mail. It is different from “early” or “absentee” voting in that all ballots are distributed and returned by mail, marking the end to traditional neighborhood, precinct-based voting. In the 2016 U.S. presidential election, it is estimated that roughly 25% of the votes cast (approximately 33 million) were cast by mail, both ballots mailed to voters and traditional absentee ballots. Oregon was the first state to go to “all mail-in voting” in 2000. Colorado followed suit in 2013, and states including California, North Dakota and Utah have begun to permit counties the option of conducting “all mail-in voting.”

Leftist supporters of “all mail-in voting” point to cost savings to local government as a principal benefit of this system. However, relying on the U.S. Postal Service to, in effect, conduct our elections has major problems, especially related to mail delivery. For example, in Florida in 2020, it is estimated that thousands of absentee ballots were not counted because they arrived after Election Day.

Additionally, voting by mail also enhances the possibility of voter fraud, as it makes it possible for an individual or individuals to collect ballots and dump them. There is no possibility of checking any voter ID with mailed ballots. And Curtis Gans, director of the Center for the Study of the American Electorate, points out that vote-buying is easier with mail-in ballots. Nevertheless, more states are attempting to expand voting by mail, and Judicial Watch is closely researching the possibility of increased voter fraud and whether new moves to embrace voting by mail should be challenged in the courts.

3. Ballot Harvesting

Ballot harvesting allows individuals to collect and return ballots from other individuals, and hopefully to turn in those ballots to be counted. This practice is fertile ground for voter intimidation and outright fraud, as well-publicized events in California and North Carolina proved in recent elections.

In November 2018, California voted for the first time under an expanded “voter harvesting” law. Prior to 2018, state law allowed only relatives or people living in the same household to drop off mail ballots for another voter at a sanctioned voting office. This was designed to assist ill and other housebound individuals to vote. But in the 2018 election, voter harvesting was expanded to allow anyone — including paid campaign workers — to collect and return (drop off) ballots.

The impact of this change was immediate. County clerks reported “harvesters” bringing in armloads of 100 to 200 ballots. Voters reported being badgered for their ballots, in some cases being asked to turn them over to be filled out by harvesters. On election night, Republicans were leading in seven very tight congressional races, which should have given them 14 of the state’s 53 U.S. House of Representatives seats. But when “harvested votes” were counted, each one of those seven seats flipped to the Democrats, leaving them with a massive 46-7 margin in California’s House delegation.

But ballot harvesting irregularities are not confined to one political party. In North Carolina’s November 2018 race for the state’s 9th Congressional District seat, incumbent Republican Representative Mark Harris squeaked out a narrow win over Democrat Dan McCready on Election Day. But soon allegations of potential ballot manipulation were raised, and the state elections board refused to certify Harris’ reelection. The elections board then launched an investigation, which proved that a Harris campaign consultant paid local people he enlisted \$125 for every 50 mail-in ballots they collected and turned over to him to drop off. And in some cases, it seems that ballots were simply thrown away.

However, voter harvesting is illegal in North Carolina (no one other than a guardian or family member can handle a voter’s ballot), and the consultant’s voter harvesting scheme clearly created the opportunity for altering the ballots before turning them in to election officials. The state elections board declared the 9th Congressional District seat vacant, citing ballot fraud, and ordered a new election. Former Representative Harris, citing health issues, withdrew from the special election. A Republican state senator, Dan Bishop, defeated Democrat Dan McCready in 2019.

Judicial Watch believes that ballot harvesting is an open invitation to voter fraud.

4. Opt-Out Automatic Voter Registration

For years, states have used citizen transactions and interactions with state and local government, particularly state departments of motor vehicles, to register to vote.

One common example is when new state residents register their cars with the Department of Motor Vehicles (DMV) and can check off a box on the form that automatically registers them to vote. As many states have moved away from paper registration forms, the same option is given to them digitally. The common denominator of this process, whether done by paper or digitally, is that an individual must take a positive action to register to vote. And those who decide, for whatever reason, not to check the voter registration box on the form or online will not be registered to vote.

But a change began to occur in January 2016, when Oregon became the first state to implement so-called “Automatic Voter Registration.” The most recent estimates are that 17 states and the District of Columbia use it. What does this mean in practice?

It means that if you register your car at the DMV in an Automatic Voter Registration state, you will be automatically registered to vote. It will be up to you to realize you have been registered to vote and to “opt out” if you don’t want to or are ineligible to register. In some states you will be informed by postcard that you will be registered to vote by a certain date unless you choose to “opt out” by signing and returning the postcard.

Advocates of Automatic Voter Registration argue that this will increase voter registration and participation. However, there is no conclusive proof that automatically registering voters is increasing voter turnout, while it does present real concerns about the integrity of elections in those states where Automatic Voter Registration is permitted.

The biggest election integrity issue is whether Automatic Voter Registration can adequately filter noncitizens from registering to vote. Many states issue driver’s licenses with minimal or no validation of an applicant’s citizenship status. And issuing driver’s licenses and registering cars are the two biggest sources of government interaction leading to voter registration in these states.

So, any state agency deficiency related to issuance of driver’s licenses or permitting car registrations to noncitizens creates pathways for registering noncitizens to vote in American elections.

Another concern relates to our First Amendment freedom of speech. Most of us believe that citizens have an obligation to vote in our constitutional republic, but does that mean the government should mandate that citizens register to vote by putting the onus on the citizen to opt out?

If you want to legally drive in the United States, you are required to have a driver’s license. But individuals don’t have to drive if they don’t want to, so why should they be, in essence, required to register? Courts have described registering to vote as protected First Amendment activity. Many view this element of Automatic Voter Registration as an infringement on our freedom, as well as offering a classic “nanny state” solution looking for a problem.

5. Abolition of Voter ID Requirements

Judicial Watch has long believed that, in addition to keeping voter rolls clean between elections, the best way to reduce voter fraud is to require voters to produce a photo ID such as a driver’s license when they vote. And if the voter does not have a driver’s license, the state should pay the cost of providing the voter with a similar photo ID.

After all, no one questions the benefits of a licensed driver having a driver’s license that includes their photo, so why shouldn’t voters be expected to produce a photo ID as well?

But the organized Left has declared all-out war on voter ID, asserting bogus claims that the imposition of this requirement somehow is prejudicial to disadvantaged and minority voters. In truth, the Left opposes voter ID for the same reason it opposes procedures to clean voter rolls of the names of deceased and ineligible voters between elections: They don’t want to keep ineligible voters out of the voting booths.

Their opposition to voter ID laws is particularly virulent because most states will not issue state-sanctioned voter ID to people who are in the United States illegally. The legal challenges to voter ID are frequently spearheaded by groups funded by George Soros’ Open Society

Foundations. And increasingly, liberal politicians are making it clear that they want to enable non-U.S. citizens, including illegal aliens, to be able to vote.

Judicial Watch, on the other hand, believes the rule of law should be respected, and laws across the country specify that only eligible U.S. citizens can vote in American elections.

Voter ID is a commonsense way to further this goal. This view is shared with wide majorities of the American public, including majorities of African American and Hispanic citizens...with everyone, it seems, but the organized, radical Left.

That is why Judicial Watch is involved in court actions to defend voter ID laws, as in the lengthy litigation surrounding North Carolina's efforts to enact a voter ID requirement as part of larger election reform legislation. We anticipate ongoing challenges to voter ID laws and are fully prepared to help defend them.

6. Abolition of Voter Residency Requirements

In order to cast a ballot, a North Dakota voter must produce identification showing a name, birth date and residential address. This simple provision of North Dakota's election law has been under steady attack from liberal groups since it was first passed in 2013, and has also been challenged in court. The Left argues, incorrectly, that this provision discriminates against the homeless and against Native Americans, many of whom — it is wrongly argued — do not have residential street addresses.

Judicial Watch is in contact with state officials and is monitoring ongoing legal and legislative developments there closely. No doubt, North Dakota is just the tip of the iceberg when it comes to abolishing voter residency requirements. Around the country, the usual Soros-funded suspects are arguing, incredibly, that including a residential address on a voter registration form is unfair and prejudicial to homeless people and discourages them from registering to vote. The fact that a residential address also determines a precinct assignment and the place where a voter actually votes on Election Day doesn't appear to bother them at all. It is simple common sense that removing a physical address requirement from a voter registration form will enhance opportunities for illegal, multiple voting!

The challenges that the Left is mounting to the residential address requirement indicate how committed they are to opposing and dismantling any requirements that help safeguard the electoral process. Judicial Watch is following the continuing legal dispute in North Dakota closely, as well as similar efforts in other jurisdictions.

7. Abolition of the Electoral College

The Electoral College was devised by the Founding Fathers to help maintain balance among the states in the new Republic, and specifically to prevent urban centers and states with large populations from dominating the new Republic's political and legislative governance. It has served that purpose well since the U.S. Constitution was ratified in 1787 and the first presidential election was held in 1789. Electoral College votes are traditionally awarded in a "winner take all" fashion by states, meaning that all of a state's Electoral College votes go to the presidential candidate who wins the most popular votes in that state. (Nebraska and Maine are the lone exceptions, casting their Electoral College votes proportionally.)

Simply put, under the Electoral College the president is elected by “the most votes in the most states.” This system is crucially different from one where the president is elected by “the most votes.” It allows for the possibility that a candidate may win the Electoral College vote, and the presidency, while losing the popular vote. That happened in 2000 when George W. Bush was elected, and in 2016 when Donald Trump was elected. This same phenomenon also occurred in 1876 and 1888. And in no fewer than 14 other presidential elections, the Electoral College winner, and new president, failed to win 50% of the vote.

Although the Republic has survived all these presidential elections, there has been a growing movement on the Left — fueled entirely by the Bush and Trump outcomes — to abolish the Electoral College. (No doubt, if Hillary Clinton had won an Electoral College majority while losing the popular vote, the Left would love the system.) The plan is to go to “direct popular election” of the president and vice president. The argument is that “every vote should count,” although no one ever explains exactly how every vote doesn’t count under the system our nation has employed since 1789. Indeed, the Electoral College guarantees that candidates must pay attention to the voters in smaller states. If the Electoral College were abolished, candidates would restrict their campaigning to the most populous states.

Most recently, in April 2019, four liberal U.S. Senators introduced a constitutional amendment to abolish the Electoral College and move to “direct” popular vote election of the president and vice president. This liberal effort at least employs the amendment process prescribed by the U.S. Constitution.

Far sneakier, and of questionable legality, is the National Popular Vote Interstate Compact. This is an effort to get states to pledge — by state law — to follow the national popular vote results when casting their Electoral College votes. So far, 17 states (including leading blue states like California, Illinois, Massachusetts and New York) and the District of Columbia have signed on to the Compact. Let’s be clear about what this would mean if it ever succeeded: If the people in, say, Illinois voted for candidate A, and candidate B won the national popular vote, the people of Illinois would be told that Candidate B is receiving all of Illinois’ electoral votes. This is not right, nor is it constitutional.

Judicial Watch stands firmly for the United States Constitution and the rule of law. We believe the Electoral College should not be tampered with.

8. Same-Day Voter Registration

Allowing individuals to register and vote on the *same day* is another dangerous liberal ploy to weaken safeguards against voter fraud. Leftists claim it is an effort to make it easier for people to vote and increase voter turnout.

But the reality is that same-day voter registration opens the door to permitting an unscrupulous individual to vote in more than one place on Election Day, and for ineligible individuals to register to vote because adequate time is not available to confirm or deny their eligibility.

Many noted election experts, including The Heritage Foundation’s Hans von Spakovsky, call same-day voter registration a prescription for fraud and say that it does nothing to increase voter participation. Von Spakovsky writes, “*Allowing a voter to both register and vote on Election Day makes it nearly impossible to prevent duplicate votes in different areas or to verify the accuracy*

of any information provided by a voter. Election officials are unable to check the authenticity of a registration or the eligibility and qualifications of a registrant by comparing the registration information to other state and federal databases that provide information not just on identity, but also on citizenship status and whether the individual in question is a felon whose voting rights have been suspended.”

Nevertheless, the pressure from the Left for same-day voter registration continues to grow. Currently, 23 states and the District of Columbia permit same-day registration; in 2008, only eight states did. Judicial Watch is looking for appropriate ways to intervene in opposition to the expansion of this open invitation to voter fraud.

9. Out-of-Precinct Voting

Permitting individuals to vote out of the precinct where they are registered to vote is a wrinkle on same-day registration. The liberals’ argument is the same; Permitting out-of-precinct voting on Election Day will make it easier for people to vote and will increase voter turnout. There is no proof to substantiate these claims. What is certain is that out-of-precinct voting burdens state election officials, while making it impossible for local precinct officials to identify those voters they know by sight.

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