

What was at stake with the disruptions of the 2024 US Presidential elections?

Document 1

Supreme Court allows Pennsylvania voters to fix faulty absentee ballots

The Washington Post, by Justin Jouvenal & Colby Itkowitz, November 1, 2024

The Supreme Court on Friday unanimously cleared the way for Pennsylvania voters to submit provisional ballots as a remedy for improperly cast absentee ballots in Tuesday's presidential election, turning aside a last-minute Republican challenge to voting rules in a crucial battleground state.

The justices rejected a request by Pennsylvania Republicans and the Republican National Committee to block a ruling by Pennsylvania's high court that allowed the fix for voters who failed to use a security envelope with their absentee ballot as required by state law.

The Supreme Court's decision came minutes after a separate ruling by the Pennsylvania high court that ended any chance that mail-in ballots with a missing or incorrect date on the outside envelope would be counted this election. The issue was expected to affect thousands of votes.

The dueling rulings came in a state that many political watchers expect to play a decisive role in the presidential election, as it did in the 2020 race. Harris and Trump have spent millions on political advertisements in Pennsylvania and have traveled there frequently to drum up support. [...]

Republicans said a broader ruling by the court could have affected tens of thousands of votes. New York University law professor Richard Pildes estimated the number would be roughly 25,000 in a state where 2.7 million mail-in ballots were cast in 2020. Even a small number of votes could prove decisive in the state, where a *Washington Post* poll released Friday showed a dead heat between Democrat Kamala Harris and Republican Donald Trump.

In recent days, Trump has also alleged without evidence that massive voter fraud was occurring in Pennsylvania, claims that state officials, Democrats and voting rights groups said were baseless and a reprise of his 2020 efforts to sow doubt about the election.

Harris's campaign hailed the Supreme Court ruling in a statement.

"In Pennsylvania and across the country, Trump and his allies are trying to make it harder for your vote to count, but our institutions are stronger than his shameful attacks. Today's decision confirms that, for every eligible voter, the right to vote means the right to have your vote counted," the statement said.

The Supreme Court's order was the second in a significant election dispute this week. On Wednesday, the court's conservative majority allowed Virginia to remove 1,600 possible

noncitizens from voter rolls. Immigrant rights groups challenged the move, saying many naturalized and native-born citizens were erroneously swept up in the process.

In the Pennsylvania case, Republicans argued that the state's high court effectively rewrote election code set by the legislature when it ruled on Oct. 23 that voters could use provisional ballots to cure their defective absentee ballots. When a voter's registration is in question or issues arise with a ballot they cast, states often allow voters to submit a provisional ballot at a polling place on Election Day. The ballots are kept separate until election officials determine whether the voter is registered or the ballot is eligible to be counted. [...]

The Republican legal arguments touched on a significant Supreme Court ruling from last year that tested a conservative legal concept known as the independent state legislature theory. It posits that state lawmakers have virtually unfettered authority to set rules for federal elections. [...]

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Republicans' non-citizen voting myth sets stage to claim stolen election

The Guardian, by Rachel Leingang & Sam Levine, October 3, 2024

James Cozadd, a 49-year-old plumber born in Montgomery, Alabama, has no idea why he got a letter from Alabama's top election official telling him he was potentially ineligible to vote. He was born in the US, yet the letter said he was suspected of being a non-citizen and he would have to prove his citizenship to vote. [...]

He was one of more than 3,200 voters the secretary of state asked to prove their citizenship – part of a wave of actions amid heated rhetoric among Republicans over the idea that non-citizens could be voting in large numbers in US elections, a theory that runs counter to data.

It's not just happening in Alabama. [...]

These purges are not just complicating the ability of some qualified voters to cast a ballot this year. They are also setting the stage for future laws to restrict voters' access to the ballot and are giving fuel to Donald Trump and his allies to seed doubt about the integrity of elections and undermine results if he loses in November.

Trump and other Republicans are already using the false idea that non-citizens could vote in widespread numbers to suggest the election could be stolen.

"Our elections are bad," Trump said during the 10 September debate. "And a lot of these illegal immigrants coming in, they're trying to get them to vote. They can't even speak English. They don't even know what country they're in practically. And these people are trying to get them to vote. And that's why they're allowing them to come into our country."

There is no proof that non-citizens are voting, or even registering to vote, in any meaningful numbers. It's not the first time Republicans have made these claims, but the purges and rhetoric over non-citizen voting this year are, perhaps, at their apex.

The rhetoric makes voting an immigration issue, linking two red-meat issues for Republicans. It also aligns with broad anti-immigrant sentiment the right is advancing, with much of it stemming from a conspiracy that there is an intentional and systematic effort to replace white Americans with minorities through mass migration – the great replacement theory. [...]

The myth of non-citizen voting has also taken hold after some of the most outlandish myths about the 2020 election were debunked, said Walter Olson, a senior fellow at the Cato Institute, a libertarian thinktank.

“It keeps ‘Stop the Steal’ alive at a point where most of the other things about ‘Stop the Steal’ don’t have much currency,” he said, referring generally to the movement that tried to halt the certification of the 2020 election.”

Republicans have waged an aggressive legal effort in Congress, state capitols and courtrooms to create the false impression that there are non-citizens on the rolls. Congressional Republicans are pushing a bill to address the nonexistent problem, though it is stalled in DC after a failed effort to tie it to a government funding bill.

The Republican National Committee and other Trump-aligned groups have also filed suit in a number of battleground states – including Nevada, North Carolina and Arizona – accusing election officials of not doing enough to ensure non-citizens aren’t on the voter rolls. The state officials have all said there are adequate safeguards in place to ensure that only US citizens are voting.

Republican statewide officials in several states – Tennessee, Alabama, Ohio and Texas – have also launched efforts to hunt for non-citizens on the voter rolls and have flagged thousands of voters for possible removal. Voting rights groups have raised deep concerns about those efforts, saying the methodology is flawed and that states are presenting misleading statistics to give an exaggerated impression of how many non-citizens may be on the rolls. [...]

Many of the naturalized citizens erroneously on the list as non-citizens appear to have been flagged from outdated motor vehicles data. The voters may have driver’s licenses that have not expired, then got their citizenship. The guidelines for what to do after you become a citizen say a driver’s license can be renewed or updated, but it’s not a requirement.

In Tennessee, state officials sent more than 14,000 notices to people asking them to prove their citizenship. The secretary of state’s office there has since said it would not remove voters who didn’t prove their citizenship. [...]

The Alabama secretary of state, Wes Allen, started a process to purge alleged non-citizens from the rolls within 90 days of an election, which both a private lawsuit and the justice department lawsuit claim runs afoul of federal law. Allen also referred the alleged non-citizens on the voter list to the Alabama attorney general’s office for criminal investigation, which the lawsuit argues amounts to voter intimidation. [...]



the REALITY of my Surroundings by Garth German

