

Noncitizen Voting Measures Boost GOP's Strategy in Swing States



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- Wisconsin among swing states seeking constitutional change
- Noncitizen voting already illegal everywhere it's on the ballot

Conservatives in some of the states key to determining who wins the White House are asking voters to shut down the possibility of non-Americans ever being allowed to cast local ballots — a question that could give their supporters more motivation to go to the polls Nov. 5.

Non-citizen voting is allowed in a smattering of localities and outright banned in seven states. That never-here list could soon grow.

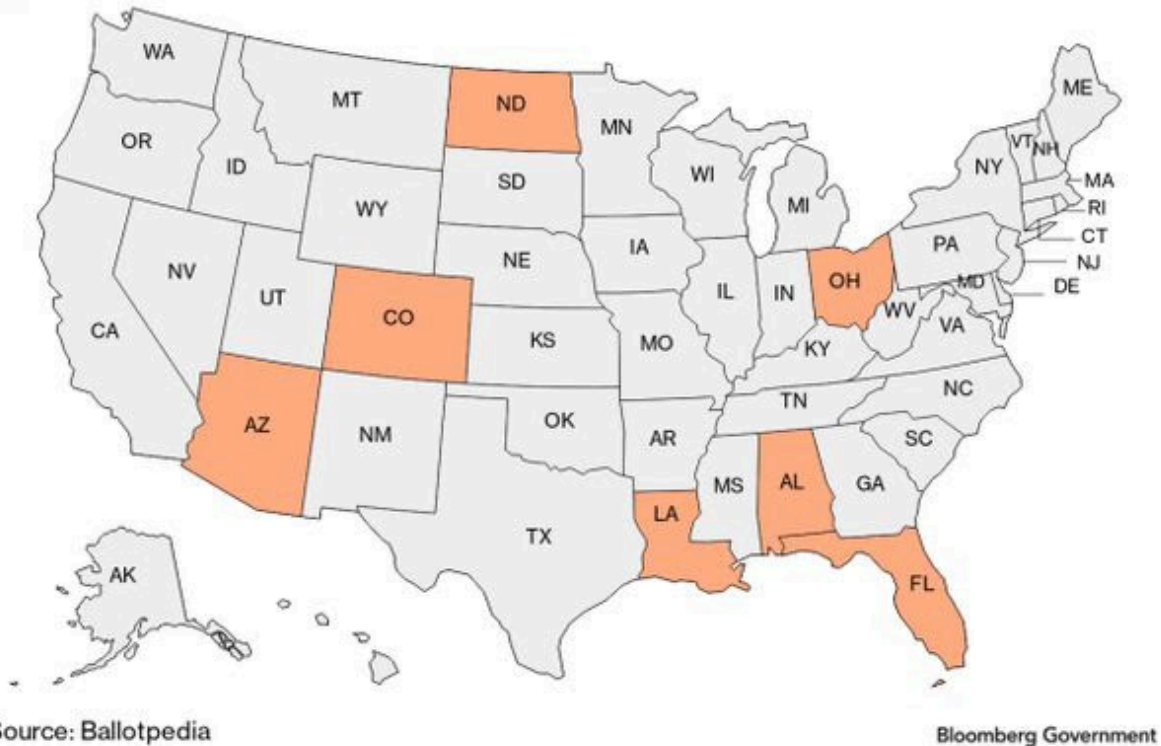
“In battleground states like North Carolina and Wisconsin, the focus on election security and immigration control could energize conservative voters, driving higher turnout in the 2024 elections,” Na’ilah Amaru, a New York-based Democratic political consultant who has worked on voting issues, said in an interview.

Polling shows a tight race between Democratic presidential nominee Kamala Harris and Republican Donald Trump in those two states. Wisconsin also has a close Senate race between incumbent Sen. Tammy Baldwin (D) and Republican Eric Hovde, while North Carolina is choosing its next governor.

Voters in Idaho, Iowa, Kentucky, Missouri, Oklahoma, and South Carolina are considering similar proposals. Noncitizen voting already is prohibited in all eight states.

These State Constitutions Ban Noncitizen Voting

Municipalities are explicitly barred from allowing residents who aren't US citizens from voting in local elections



The proposals appear likely to pass based on the success of similar constitutional amendments adopted in other states.

'Only' vs 'Every'

The measures in Wisconsin ([SJR 71](#)) and North Carolina ([SB 630](#)) would rephrase their constitutions so that “only” citizens could vote in elections, replacing phrasing stating that “every” citizen can cast ballots.

Future legislatures would gain the power to narrow who’s allowed to vote, according to Tim Muth, senior staff attorney at the American Civil Liberties Union of Wisconsin, which opposes the ballot proposal.

“When the constitution says ‘every citizen can vote,’ then the legislature can’t just pass a law saying a particular class of person is excluded,” he said

The North Carolina proposal also would nix wording in the state constitution that explicitly states “people born in the United States” and “naturalized” have the right to vote.

“You have to say this is already covered in law and kind of looking down the road to what it could lead to, which is just more restrictions on voters and this whole idea of sowing distrust and implying noncitizens are voting which is not the case,” Jennifer Rubin, president of the League of Women Voters of North Carolina, said. The group opposes the measure.

“It’s a dangerous precedent that sows distrust and anti-immigrant sentiment,” Rubin said. “It’s something we believe is dangerous.”

Where It’s Legal

Noncitizen voting exists at the local level in San Francisco, Washington, DC, and some small municipalities in Maryland and Vermont. State courts blocked a similar law in New York City.

In Congress, House Republicans tried to tie a [stopgap government funding bill](#) to a requirement to show proof of citizenship when registering to vote, though that language was dropped from the version signed into law in late September.

The measures on the ballot this year have the support of a national advocacy group called the Only Citizens Vote Coalition, a group whose leaders include attorney Cleta Mitchell, who had a prominent role in Trump’s efforts to block the certification of President Joe Biden’s win in Georgia four years ago.

[Trump Lawyer Cleta Mitchell Out at Law Firm After Georgia Call](#)

Mark Meadows, a former White House chief of staff under Trump, and former Rep. Doug Collins of Georgia are also involved in the effort.

Mitchell didn’t respond to multiple requests for comment.



Photographer: Anna Moneymaker/The New York Times/Bloomberg

Cleta Mitchell shown with then-President Donald Trump in the Blue Room of the White House on Aug. 18, 2020.

“Radical progressive politicians have been working for years to eliminate laws requiring proof of US citizenship for voter registration in US elections,” reads the group’s [website](#). “Without such laws, millions of illegal aliens and noncitizens may be able to vote in November.”

Such claims mirror unfounded assertions from Trump and his political allies that ballots cast by foreign nationals, deceased persons and others could illegally affect election results.

Scant Advertising

There have been no television commercials and just a few digital ads, according to data from the tracking firm AdImpact. Backers and foes had spent approximately \$55,000 in Wisconsin and \$17,000 in North Carolina since the beginning of September, the data showed.

Opponents of the measures argued that the proposals are addressing something that’s not a problem.

“This is a nonissue based on myth, Republican elected officials in Wisconsin and elsewhere have been fanning the flames with claims of fraudulent noncitizen voting,” the ACLU of Wisconsin said in a statement.

Jim Womack, president of the North Carolina Election Integrity Team, argued that the lack of known cases of foreign citizens illegally registering to vote doesn’t mean they haven’t happened.

[His group](#) aims to deploy monitors at polling sites across the state in November and has promoted ideas such as paper ballot requirements and unfounded claims of voter fraud in the 2020 election.

“We’ve seen some really nefarious activity, and a lot of minor level things, which, in the aggregate, are pretty significant,” he said. “What doesn’t build voter confidence is when you push back and you say: ‘We don’t want you looking. Nothing to see here.’”

To contact the reporter on this story: Zach Williams at zwilliams@bloombergindustry.com

To contact the editors responsible for this story: Bill Swindell at bswindell@bloombergindustry.com; Katherine Rizzo at krizzo@bgov.com