

# Ashcroft and GOP Gearing Up Vote-Suppression for November Elections

by Edward Spannaus

New voter registrations are running at record levels in many Democratic areas, and voting-rights experts and Democratic activists expect an intensification of voter-intimidation and vote-suppression operations by Republican-linked groups, with the help of John Ashcroft's Justice Department. At the same time that Ashcroft has almost ceased all enforcement of the 1965 Voting Rights Act, the Attorney General has packed the Department's Civil Rights Division with right-wing ideologues who have launched investigations of "voter fraud," in what is widely understood as an effort to intimidate potential minority voters.

The *Washington Post* reported on Sept. 20, that the Justice Department has launched criminal investigations into alleged voter fraud in a number of battleground states, including Ohio and West Virginia. This is no doubt a desperate reaction to the fact that, in Ohio, new voter registrations have increased more than 250% in Democratic areas, a rate ten times higher than registrations in Republican-leaning areas. New registrations are also running at very high rates in other areas, including West Virginia, and Miami/Dade County, Florida.

In New Mexico, another state targetted by the Justice Department, the Secretary of State says: "This is just an attempt to let people know Big Brother is watching. It may well be aimed at trying to keep people away from the polls."

Some right-wing academics are claiming that there are more voter registrations in some urban areas than there are eligible voters—but this is also true for some rural, predominantly white states such as Montana and Alaska.

And Republican operatives are putting out the line that these massive voter-registration increases in Democratic areas signify that the Democrats intend to steal the November Presidential election. The right-wing NewsMax.com, for example, quotes an unnamed "top Republican strategist" as saying that the Democrats intend to win in November "by the old-fashioned way: stealing the election." The strategist cites the huge amounts being spent this year on voter-registration and get-out-the-vote efforts; and NewsMax adds: "Republicans believe this will lay the ground work not for a Democratic victory but for election theft on Nov. 2."

It is reported that the Republicans are planning to mobilize

30,000 lawyers looking for "fraud" and "ballot abuses" on Election Day.

## The Philadelphia Case

One example of GOP-sponsored voter-suppression operations, is what happened in last year's mayoral election in Philadelphia, where GOP operatives sent teams of men wearing official-looking attire—dark suits and lapel pins—into minority neighborhoods. The men not only drove around in dark, unmarked vans and vehicles with official-looking decals, but they went up to potential black voters, telling them (falsely) that they needed a major credit card, a passport, or a driver's license to vote. They also warned black voters that it was risky to vote if they owed any child-support payments, suggesting they could go to jail. In a post-election survey of black voters, 7% reported being accosted by these voter-intimidation operatives.

Perhaps the best known case of voter suppression is that of Florida in 2000, where the voter rolls were wrongly purged of thousands of suspected "felons," and the organized efforts to keep blacks from voting included roadblocks in black neighborhoods, police forcibly turning voters away from the polls, and unnecessary demands for voter identification. Just recently, another attempt was made to purge more than 22,000 blacks from the voter rolls.

## Telling Blacks Not to Vote

Another side of the Republican vote-suppression operation, is the placement of radio advertisements targeting black localities, telling blacks that there is no difference between George Bush and John Kerry, so that there is no reason they should bother going out to vote for Kerry or other Democrats.

The ads—asking if U.S. Sen. John Kerry takes "the black community for granted?"—are being run primarily on urban black radio stations in Pennsylvania (Philadelphia and Pittsburgh), Ohio (Toledo, Columbus, and Cleveland), Missouri (Kansas City and St. Louis), Michigan (Detroit), and Wisconsin (Milwaukee). These are all battleground states. Some highlights (or low-lights) of the ads:

- "John Kerry for President? How is it we don't know

anything about this guy? You'd think someone who has been in office for 22 years, we'd know why he's supposed to be our savior. What's Kerry done for us? . . . Our community doesn't need another wishy-washy, rich, white politician. And boy, does Kerry come across as rich, white, and wishy-washy!"

- Another ad quotes NAACP Chairman Julian Bond from last April, saying: "I don't think you can be a serious contender for the votes of people of color, if you don't have people of color making the decisions in your campaign." (The ad doesn't mention that, last month at the NAACP Convention, Bond praised Kerry.)

- Another nasty ad targets Teresa Heinz Kerry, who was born in Mozambique. The ad states: "His wife says she's an African-American. While technically true, I don't believe a white woman, raised in Africa surrounded by servants, qualifies. . . ."

- A fourth ad targets Kerry for missing a May 11 Senate vote on extending unemployment benefits. The bill needed 60 votes to pass, and failed 59-40. "Maybe Kerry thought the more of us who are unemployed and hurting—the more likely we would vote Democratic!" (Not mentioned is that it was Republican votes that killed the proposal.)

The ads were were paid for by "People of Color United," a group formed in August by D.C. Parents for School Choice, a pro-voucher organization funded by the right-wing Bradley Foundation. Some \$30,000 was given to People of Color United by J. Patrick Rooney, former chairman of the Golden Rule Insurance Company, which was exposed by *EIR* as major bankroller of Newt Gingrich's conservative-revolution take-over of Congress, ten years ago.

## Ashcroft Lends a Hand

Although vote-suppression and intimidation have been used by Republicans against minority voters for decades (in fact Chief Justice William Rehnquist, then a private lawyer, was caught engaging in this in Phoenix back in 1964), what has many people more alarmed this year, is the Justice Department's skewing of its voting-right program to emphasize "anti-fraud" efforts, rather than ensuring voter access.

In October 2002, Ashcroft summoned Federal prosecutors from across the country to DOJ headquarters to a "Voter Integrity Symposium," and launched what he called the "Voter Access and Integrity Initiative."

"Voting access," of course, refers to efforts, enshrined in the 1965 Voting Rights Act, to ensure access to the polls for all eligible voters, particularly those who have been disenfranchised in the past.

"Voting Integrity," on the other hand, is the code name for a Republican efforts to intimidate minority voters and to suppress the largely-Democratic minority vote. As Jeffrey Toobin points out in his *New Yorker* magazine article, "Ashcroft's proposal favored the 'integrity' side of the ledger, mainly by assigning a federal prosecutor to watch for elec-

tion crimes in each judicial district."

The idea of having federal prosecutors involved gave rise to a lot of misgivings, Toobin reports. "A lot of Assistant U.S. Attorneys are going to be more interested in voting integrity than voter protection," said a lawyer who recently left the Voting Section of the Civil Rights Division. "How many people are scared off from voting because you ask them a question at a polling place? There is no way to know."

Ashcroft has also placed R. Alexander Acosta, a 35-year old conservative Cuban-American lawyer from Miami, who previously worked in Kenneth Starr's law firm, as the head of the Department's Civil Rights Division. In July, Acosta brought in prosecutors from every district in the country for a two-day session, featuring training on how to respond to allegations of fraud.

Acosta's assistant in the Civil Rights Division, who is responsible for the interpretation of the Help American Vote Act (HAVA), is Hans von Spakovsky, a long-time activist in the GOP's "voting-integrity" movement, and also in the Federalist Society. In 1997, three years before the notorious Florida purge of voter rolls, von Spakovsky wrote an article calling for the aggressive purge of "felons" from voter rolls. The "Voting Integrity Project" then mobilized to implement von Spakovsly's proposal, including consulting with the private company that designed the purge of Florida's voter rolls in 2000. Von Spakovsky was also part of the GOP recount team in Florida after the 2000 elections.

## Redistricting

In a recent *New Yorker* magazine article, legal commentator Jeffrey Toobin points out that traditional enforcement of the Voting Rights Act has come almost to a complete stop in John Ashcroft's Justice Department, with virtually no lawsuits now being filed alleging discrimination against minority voters. (In fact, the Voting Section of the Civil Rights Division is considering filing a suit purportedly to protect white voters in a majority-black Mississippi locality.)

Under Ashcroft, Toobin notes, the Voting Section has consistently favored Republican redistricting schemes, including those that cram black voters into a few Congressional districts. The most outrageous case cited by Toobin is that of Texas, where Tom DeLay rammed a second Congressional redistricting scheme through the state legislature, after a first plan had been adopted following the 2000 census. The DeLay plan (as we have reported), gerrymanded the state so as to create up to seven additional Republican districts.

When the DeLay plan was submitted to the Justice Department for approval, career officials in the Voting Section were appalled, and produced a 73-page legal opinion, with 1,750 pages of supporting documents, urging that it be rejected as a retrogression for minority voting rights. The political appointees in the Voting Section and the DOJ then overrode the career lawyers, and approved the corrupt DeLay scheme, which is now in effect for the November elections.