

Suit: Illinois Is Breaking The Law By Failing To Clean Voter Rolls



IMAGE CREDIT PHIL ROEDER/WIKIMEDIA COMMONS/ CC BY 2.0

Democrat-run Illinois has failed to clean its voter rolls, a violation of federal law, alleges a lawsuit filed Tuesday.

Brought by Judicial Watch on behalf of Illinois voter Carol J. Davis and several state-based organizations, the [lawsuit](#) contends that the Illinois State Board of Elections and its executive director, Bernadette Matthews, have [broken](#) federal law by failing to maintain accurate voter registration lists and “produce election-related records.”

More specifically, plaintiffs claim the board and Matthews are violating provisions of the [National Voter Registration Act](#) (NVRA), which requires states to “conduct a general program that makes a reasonable effort to remove the names of ineligible voters from the official lists of eligible voters” who have died or changed residence. Individuals can only be removed from the rolls under this law if the voter confirms his or her desired removal “in writing” or fails to respond to a state notice sent to his or her registered address.

“Defendants’ failure to comply with their NVRA voter list maintenance obligations burdens the federal and state constitutional rights to vote of all [plaintiffs] by undermining their confidence in the integrity of the electoral process, discouraging their participation in the democratic process, and instilling in them the fear that their legitimate votes will be nullified or diluted,” the lawsuit reads.

Federal law requires the Election Assistance Commission (EAC) to report “its findings relating to state voter registration practices” to Congress in June of every odd-numbered year, the lawsuit notes. Among the information states must disclose to the agency is data regarding the state’s voter registration lists, including the number of “active” and “inactive” registrants.

According to plaintiffs, the data approved by Illinois and later released by the EAC in June 2023 shows that 11 counties reported “removed zero voter registrations” from November 2020 to November 2022, while an additional 12 localities removed 15 or fewer during that same period. These 23 jurisdictions reported 980,089 new voter registrations but only 100 individuals were removed from the voter rolls “in the last two-year reporting period.”

“[T]hese are absurdly small numbers of removals” under the NVRA, the lawsuit reads. “There is no possible way these counties can be conducting a general program that makes a reasonable effort to cancel the registrations of voters who have become ineligible because of a change of residence while removing so few registrations” under federal law.

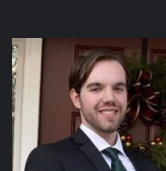
Judicial Watch cited data from the U.S. Census Bureau that 11.8 percent of Illinois residents “are not living at the same residence address as they were one year ago” and roughly 344,000 individuals “moved out of the state in 2022.” According to the plaintiffs, such figures indicate that these 23 counties should have removed far more voter registrations and “that number should never be zero, in any jurisdiction.” Yet the plaintiffs flagged 34 localities that failed to report to the EAC “any data whatsoever” of recent voter roll removals required by the NVRA.

In their request for relief, Judicial Watch asked the court to declare defendants’ failure to maintain accurate voter rolls unlawful under the NVRA and issue a permanent injunction mandating they comply with the law. The watchdog also asked the court to order Matthews and the Illinois elections board to “develop and implement a general program that makes a reasonable effort to remove the registrations of ineligible registrants from the voter rolls in Illinois,” among other requests.

“Illinois’ voting rolls are a mess. Dirty voter rolls can mean dirty elections,” Judicial Watch President Tom Fitton said in a statement. “Illinois should take immediate steps to clean its rolls to both prevent fraud and increase voter confidence in the elections.”

Judicial Watch also sued Matthews and the elections board in 2020 over their refusal to provide conservative organizations access to Illinois’ voter roll data. In July 2023, federal judge [ordered](#) the state to make said information available.

Shawn Fleetwood is a staff writer for The Federalist and a graduate of the University of Mary Washington. He previously served as a state content writer for Convention of States Action and his work has been featured in numerous outlets, including RealClearPolitics, RealClearHealth, and Conservative Review. Follow him on Twitter [@ShawnFleetwood](#)



Shawn Fleetwood