



ISSUE STATEMENT

DECEPTIVE PRACTICES & INTIMIDATION

Deceptive practices are the dissemination of false or misleading information about elections and the voting process in order to alter the outcome of the election and to prevent eligible voters from casting their ballots. American history is peppered with examples of individuals, political operatives and organizations using these misleading and intimidating tactics to prevent voters from participating in the electoral process. In most cases, deceptive practices target traditionally disenfranchised communities, including minorities, seniors, and young people. Very rarely are the parties responsible for this misinformation pursued or prosecuted by law enforcement.

Some examples of deceptive practice and voter intimidation during the 2012 Election include:

- Calls incorrectly informing voters that they could vote over the phone
- Flyers and letters, purportedly from election officials, with misleading information
- Billboards placed primarily in minority neighborhoods implying problems with voter fraud

In order to effectively combat these fraudulent election practices, stronger laws are needed. The Lawyers' Committee for Civil Rights Under Law supports proposals that would:

- Provide a clear definition of a "deceptive practice", making it easier for officials to prosecute perpetrators of deceptive practices
- Create a private right of action for voters affected by deceptive practices
- Implement criminal penalties for perpetrators of deceptive practices, to create deterrence measures to prevent future acts intended to intimidate and mislead voters, and also ensure that perpetrators face real consequences when they mislead voters.
- Require monitoring of deceptive practices
- Obligate states to take corrective action