

PUBLIC INTEREST

— LEGAL FOUNDATION —

Philadelphia Sued in Federal Court for Concealing Election Records

City failed to provide information about possible noncitizen voters

(Alexandria, VA) – April 5. The Public Interest Legal Foundation has filed a [lawsuit](#) in federal court against the Philadelphia City Commissioners because the defendants failed to respond to an inquiry about voter roll maintenance in Philadelphia.

For years in Philadelphia, the numbers of registered voters has nearly exceeded the number of citizen residents eligible to vote, among the highest in Pennsylvania. In response to these unusual circumstances, the plaintiff utilized protections in the National Voter Registration Act that require Philadelphia to allow physical inspection of election records related to voter registration and list maintenance programs. The plaintiff requested information from Philadelphia about tools used to ensure that non-citizens are not registering to vote, as well as other records.

Philadelphia failed even to respond to the request, and thus the lawsuit followed.

The plaintiff in the case is the American Civil Rights Union. The plaintiff originally sent the defendant a notice letter in January 2016 describing potential violations of federal election law, asking to review election records, and seeking to discuss a cure. Philadelphia never replied.

“Corrupted voter rolls provide the perfect environment for voter fraud. Failure to clean the rolls aggravates longstanding problems of voter fraud in Philadelphia,” said J. Christian Adams, President and General Counsel of the Public Interest Legal Foundation. “Philadelphia may not be using all the available tools to prevent non-citizens from registering and voting. Concealing list maintenance records from the public isn’t good government, and it violates Federal election law.”

The lawsuit asks the federal court to order Philadelphia to open the requested list maintenance records to the plaintiff. Section 8 of the National Voter Registration Act (commonly called “Motor Voter”) gives Americans the right to review list maintenance records. “Philadelphia should practice transparency when it comes to elections. It shouldn’t require a lawsuit to make that happen,” said Adams. Linda A. Kerns of the Law Office of Linda A. Kerns serves as local counsel.

The Public Interest Legal Foundation (PILF) is a 501(c)(3) public interest law firm dedicated to election integrity. PILF exists to assist states and others to aid the cause of election integrity and fight against lawlessness in American elections. Drawing on numerous experts in the field, PILF seeks to protect the right to vote and preserve the Constitutional framework of American elections. Media inquiries: media@publicinterestlegal.org.

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