

ICE, Justice subpoena voter records from North Carolina



By [Tal Kopan](#), CNN Updated 6:23 PM ET, Wed September 5, 2018



Washington (CNN) Immigration and Customs Enforcement and the Department of Justice have gotten a court order for North Carolina to turn over eight years of voter registration records from the state.

The North Carolina board of elections [made the subpoena public](#) as part of the materials for a public meeting it is holding Friday, where the request will be considered.

There is little context provided for the request, which is only listed by the board as "Consideration of subpoenas issued by U.S. Immigration and Customs Enforcement via the U.S. Attorney's Office for the Eastern District of North Carolina."

The subpoena asks the state records office to provide "any and all voter registration applications and/or other documents, as identified below, that were submitted to, filed by,

received by, or maintained by the North Carolina State Board of Elections from January 1, 2010, through August 30, 2018, within any of the counties in North Carolina."

The list of documents include voter registration forms, absentee ballots, early voting application forms, provisional voting forms, "Admission or Denial of Non-Citizen Return" forms and voter cancellation or revocation forms.



Trump voting commission had no evidence of widespread voter fraud, former member says

A [separate subpoena](#) issued to Pitt County requests poll books, voting records, voting authorization documents and "executed official ballots," including absentees, from August 30, 2013 through August 30, 2018.

It's not clear from the request whether this would apply to every single voter registration that has been filed in those eight years or just the forms that would be used.

The State Board Office provided CNN with what it says is a preliminary estimate of how many records would be involved. For the county ballots, the request could cover more than 2.2 million ballots that are traceable to individual voters, and more than 3.2 million that are untraceable to individuals.

The eight-year records request would cover more than 15 million documents, the state said.

A federal law enforcement official confirmed the request is related to [indictments announced in late August](#), when the Department of Justice and ICE [announced](#) they had charged 19 foreign nationals with voting illegally.

That press release noted, "The indictments follow an investigation by U.S. Immigration and Customs Enforcement's (ICE) Homeland Security Investigations (HSI) as part of a newly created Document and Benefit Fraud Task Force (DBFTF) in the Eastern District of North Carolina."



Trump dissolves voter fraud commission; adviser says it went 'off the rails'

According to the official, the request was designed as a preservation request. North Carolina law would dictate that records are destroyed after two years, the official said, so as the ongoing investigation develops, law enforcement wants to be sure they can access relevant records. The request is confined to the Eastern District of North Carolina and two state agencies, including the Department of Motor Vehicles but only in regards to the Eastern District.

That scope is not spelled out in the actual subpoena, which informs records officials they can present the full records in hard copy or in person at a federal grand jury on September 25.

Both ICE and the US Attorney's office declined to comment, ICE citing an inability to comment on an ongoing investigation.

In a statement, the Lawyers' Committee for Civil Rights Under Law called the subpoena a "clear voter suppression scheme" during an election cycle. The group advocates for civil rights and equal justice, particularly for minorities.

"At a time when the federal government should be deploying its limited resources to enforce the Voting Rights Act and to promote access to the polling place, we instead see them taking action intended to have a clear chilling effect on minority voters," President and Executive Director Kristen Clarke said in the statement. "We reject this campaign to intimidate voters and urge the federal government to immediately abandon this unprecedented and dangerous voter suppression scheme."

President Donald Trump has repeatedly claimed without evidence that there was widespread election fraud in 2016 and has sought to use his administration to investigate it.

Fact checkers [have debunked](#) the President's [false claims](#) that there was widespread voter fraud during the 2016 election. Election experts [emphasize](#) that such fraud is rare in the context of more than 1 billion votes cast since 2000.

CNN's Clare Foran contributed to this report.