



Study: 10% to 27% of Non-Citizens Are Illegally Registered to Vote

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Overview

Based on the latest available data and an enhanced version of a stress-tested methodology from a scholarly journal, a new study by Just Facts has found that about 10% to 27% of non-citizen adults in the U.S. are now illegally registered to vote.

The U.S. Census recorded more than 19 million adult non-citizens living in the U.S. during 2022. Given their voter registration rates, this means that about two million to five million of them are illegally registered to vote. These figures are potentially high enough to overturn the will of the American people in major elections, including congressional seats and the presidency.

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In 2014, the academic journal *Electoral Studies* published a groundbreaking study by three scholars who estimated how frequently non-citizens were illegally voting. Based on data for the 2008 presidential and congressional elections, the study found that:

- “roughly one quarter of non-citizens” in the U.S. “were likely registered to vote.”
- “6.4% of non-citizens actually voted.”
- 81.8% of them “reported voting for Barack Obama.”
- illegal votes cast by non-citizens “likely” changed “important election outcomes” in favor of Democrats, “including Electoral College votes” and a “pivotal” U.S. Senate race that enabled Democrats to pass Obamacare.

The study’s voter registration rate was estimated with data from two key sources:

1. A national survey in which 14.8% of non-citizens admitted that they were registered to vote.
2. A database of registered voters that reveals what portion of the surveyed non-citizens “were in fact registered” even though “they claimed not to be registered.”

By combining these data, the author’s “best” estimate was that 25.1% of non-citizens were illegally registered to vote.

The authors calculated voter turnout with the same datasets, but their methodology yielded a best estimate that 6.4% of non-citizens voted in 2008—lower than the 8.0% of non-citizens who stated “I definitely voted” and explicitly named the candidate they voted for. This and other matters led Just Facts to engage in extensive correspondence with the lead author of the study to verify practically every detail of it.

Just Facts then conducted a comparable study that used the same datasets, a more straightforward methodology, and related studies to constrain assumptions. This found that roughly 27% of non-citizens were registered to vote and about 16% of them voted in the 2008 national elections.

As is often the case with studies of illegal actions where enforcement is limited, both Just Facts’ study and the one from *Electoral Studies* have sizeable margins of uncertainty. This is due to relatively small sample sizes and other possible sources of error—some that could produce overcounts and others undercounts.

“Fact Checks”

So-called fact checkers and certain scholars have repeatedly tried to dispute the *Electoral Studies* paper and Just Facts’ study. However, their criticisms were mathematically illiterate and laced with unrealistic assumptions, empty arguments, half-truths, and outright falsehoods.

Now, the Washington Post’s lead “fact checker,” Glenn Kessler, claims to have uncovered new evidence that undercuts the results of the 2014 *Electoral Studies* paper and Just Facts’ research. This consists of a previously sealed “Expert Report” on non-citizen voting for a 2023 Arizona court case.

Notably, the report was written by the lead author of the *Electoral Studies* paper, Dr. Jesse Richman,

an Associate Professor of Political Science and International Studies at Old Dominion University.

In an [article](#) titled “The Truth About Noncitizen Voting in Federal Elections,” Kessler quotes several figures from Richman’s 2023 report suggesting that about 1% of non-citizens are registered to vote. This is drastically below the “best” estimate of 25% from Richman’s [2014 paper](#).

The glaring disparity between the 2014 and 2023 figures prompted Just Facts to scrutinize the methodologies used to produce them. This research revealed that all of the 1% figures are [lowball estimates](#). This was confirmed when Just Facts questioned Richman, who responded:

An important element of context for the Arizona report is that it was written as an expert report in a court case (and indeed it was a confidential part of the case until it got subpoenaed). In that context my focus was on identifying and explicating the evidence most robust to cross-examination. Thus, my goal was to explain to the court the results and the datasets where as many possible counter-arguments concerning how the estimate could be biased upwards were closed off. Of course, no choice about which analyses to focus on comes without tradeoffs. And the tradeoff from focus on analyses where one can minimize the risk that the estimate could be biased upwards is that there is potentially an increased risk that the estimate could be biased downwards.

Beyond portraying minimums as best estimates, Kessler also misleads his readers with a half-truth that the 2014 paper estimated “6.4 percent of noncitizens voted in 2008 and 2.2 percent voted in 2010.” What Kessler fails to reveal is that 2010 was a mid-term election, and Richman explained in [Kessler’s newspaper](#) that “these are the patterns one would expect to see if the measures retained validity and non-citizens were a group mobilized more in presidential election years than midterms.”

In another ruse, Kessler criticizes and links to a study by Just Facts while coyly describing it as the work of “one [researcher](#).” This avoids the [scholarly track record](#) of the organization and the fact that two Ph.D.’s who specialize in data analytics [vetted the study](#) and described it as “methodologically sound,” “fair in its conclusions,” and “credible.”

Kessler also misreports the results of Just Facts’ study by claiming that it found non-citizens gave Biden “almost an additional 18,000 votes” in Arizona in 2020. In reality, the study [plainly states](#) that non-citizens gave Biden an “extra” “51,081 ± 17,689” votes in Arizona. This equals 33,000 to 69,000—not 18,000.

Ironically, Donald Trump was indicted by a D.C. grand jury [for accurately citing](#) the lower bound of those figures.

The Latest Data & Study

The redeeming element of Kessler’s article is that it alerted Just Facts to the existence of non-citizen voter registration data from 2022. This enabled Just Facts to update previous studies on this issue with the latest available information.

Using an enhanced version of the methodology that yielded the same “best” registration rate as the

2014 *Electoral Studies* paper, Just Facts' new study finds that roughly 10% to 27% of non-citizen adults in the U.S. are now registered to vote.

The data and methodology of the study are detailed in [this spreadsheet](#). Enhancements over previous studies include:

- a more precise formula to calculate sampling margins of error.
- the use of dual methodologies to account for varying possibilities.
- multiple [citizenship questions](#) in the survey that limit the possibility of honest mistakes by survey respondents.

As with other studies of illegal actions, there are uncertainties in the results. For example, the study assumes that all people who claim to be “citizens” in the survey actually are citizens. This is unlikely given that the journal *Demographic Research* published a study in 2013 which found that certain major groups of non-citizens often falsely claim to be citizens in Census surveys. If these dishonest survey respondents register to vote at higher or lower rates than other non-citizens, this could skew the results of the study.

[Standards](#) for [high quality](#) research require that assumptions be “explicit and justified” to provide “a fully ethical presentation of scientific data.” This standard has been [brazenly](#) and [repeatedly](#) flouted by scholars who downplay voting by non-citizens. In contrast, the assumptions and justifications of Just Facts' study are [provided here](#).

Potential Impacts

In presidential elections, roughly [half](#) of non-citizens who are registered [turn out](#) to vote. Given that about 10% to 27% of them are currently registered, this means about 5% to 13% of them will illegally vote in the 2024 presidential and congressional elections.

The U.S. Census [recorded](#) a population of [19.7 million](#) voting-age non-citizens in the U.S. during 2022. This is an absolute minimum because the Census [doesn't count](#) masses of non-citizens who falsely claim to be citizens or don't fill out Census surveys.

Also, the figure of 19.7 million doesn't include multitudes of non-citizens who've entered since 2022. This includes people who [legally immigrated](#), crossed the [border illegally](#), or were allowed into the country under the Biden administration's [parole policies](#).

Based on the data above, roughly [1.0 million to 2.7 million](#) non-citizens will illegally vote in the 2024 presidential and congressional elections unless stronger election integrity measures are implemented.

Closing the Loopholes

To prevent illegal voting by non-citizens, [Congressional Republicans](#) recently introduced a [22-page bill](#) to “require proof of United States citizenship” to register to vote in federal elections.

While reporting on a [press conference](#) announcing the legislation, media outlets like the [Associated](#)

[Press](#), [CNN](#), [NBC News](#), [Rolling Stone](#), and [NPR](#) attacked the bill as unnecessary. NPR, for instance, [reported](#) that “it’s already illegal” for non-citizens to vote in federal elections and “there’s never been evidence to support the idea noncitizens are voting at anything other than miniscule numbers.”

Those claims—which echo the Biden administration’s [statement](#) on this matter—are refuted by the [Electoral Studies](#) paper, [Just Facts’ research](#), and the following facts that prove there are wide openings for non-citizens to vote.

Open Doors to Illegal Voting

All 50 states [require](#) people to be U.S. citizens in order to register to vote in federal elections, and [federal law](#) forbids non-citizens from falsely claiming citizenship to register to vote. However, enforcement mechanisms for such laws are limited, and opportunities to get around them are ample.

For a prime example, [federal law](#) requires all states to register voters for federal elections via a form [developed](#) by the U.S. Election Assistance Commission. The [form](#) requires people to declare that they are U.S. citizens, but it [doesn’t require them](#) to prove it.

Several states, including Arizona and Georgia, tried to require people who register with the federal form to provide “documentary evidence” of citizenship, but they [were blocked](#) by [court rulings](#) supported by the [Obama administration](#).

So instead of proof of citizenship, the federal form [allows](#) people to register and vote with assorted forms of “identification” like a “utility bill” or “bank statement.”

The [federal form](#) also has state-specific instructions which are rife with loopholes that could allow non-citizens to register. The instructions for [New Jersey](#) are typical of [most states](#):

The last four digits of your Social Security number OR your New Jersey Driver’s License number is required for voter registration. If you do not possess either of these identifications, please write “NONE” on the form. The State will assign a number that will serve to identify you for voter registration purposes.

Likewise, the [NJ State form](#)—which provides another avenue to register for federal elections—contains a checkbox that allows people to register without a Social Security or driver’s license number if they “provide a COPY of a current and valid photo ID, or a document with your name and current address on it.” [This can be](#) anything from a “store membership ID” or “student ID” to a “rent receipt” or “government check.”

Ignoring those facts, the New York Times [recently criticized](#) Elon Musk for saying that illegal immigrants “are not prevented from voting in federal elections” and “you don’t need government issued ID to vote.”

The Times claimed that Musk was wrong because “[federal law](#) requires identification verification from voters when they register.” That hyperlink leads to a document by the [liberal](#) Brennan Center for Justice which [claims](#) that “new identification requirements” in a 2002 federal voting law “may

severely threaten voters' rights....”

What the Times fails to reveal is that the Brennan Center describes the identification requirements in the law, which don't require government-issued ID or proof of citizenship—just as Musk wrote. The Center even notes that a “utility bill” or “bank statement” is enough to comply with the law. The text of the 2002 legislation and the current U.S. election code law confirm this.

The lack of enforcement against illegal voting by non-citizens was aptly summarized by Barack Obama shortly before the 2016 U.S. presidential election when actress Gina Rodriguez asked him if “Dreamers” and “undocumented citizens” would be deported if they voted. Obama replied:

Not true. And the reason is, first of all, when you vote, you are a citizen yourself. And there is not a situation where the voting rolls somehow are transferred over, and people start investigating, etcetera.

After dodging the fact that Dreamers and other unauthorized immigrants are not citizens, Obama's clear message was that there is no effective way to enforce the law that prohibits them from voting.

Republicans are proposing to fix that situation, while Democrats and the media are telling people it doesn't exist despite overwhelming evidence to the contrary.

Identity Fraud

Even if the federal government or states adopted a law that requires official government IDs or Social Security numbers for voter registration, this wouldn't constitute proof of citizenship because identity fraud is rampant among non-citizens.

For a prime example, the chief actuary of the U.S. Social Security Administration estimated in 2013 that:

- 0.7 million illegal immigrants worked in 2010 by using Social Security numbers obtained by using “fraudulent birth certificates.”
- another 1.8 million illegal immigrants worked in 2010 by using Social Security numbers “that did not match their name.”

Likewise, a 2002 investigation by the U.S. Government Accountability Office found that “the use of fraudulent documents by aliens is extensive.” For instance, immigration officials in Los Angeles “seized nearly two million counterfeit documents” in November 1998, including “permanent resident cards and Social Security cards, which were headed for distribution points around the country.”

Similarly, the New York Times reported in 2005, “Currently available for about \$150 on street corners in just about any immigrant neighborhood in California, a typical fake ID package includes a green card and a Social Security card.”

Perhaps most revealingly, California Senate Leader and Democrat Kevin De Leon publicly stated in 2017:

I can tell you half of my family would be eligible for deportation under [Trump’s] executive order, because if they got a false Social Security card, if they got a false identification, if they got a false driver’s license ... if they got a false green card. And anyone who has family members who are undocumented knows that almost entirely *everybody* has secured some sort of false identification.

Hiding the Data

In 2017, President Trump’s Advisory Commission on Election Integrity asked the states for “detailed, publicly available voter-roll data” that could be cross-checked against other databases with information on citizenship status. However, states refused to turn over the data and filed a flurry of lawsuits to stop the commission.

In the words of California’s Secretary of State:

While the commission is allowed to request the personal data of California voters, they cannot compel me to provide it. Let me reassure California voters: I will not provide the Commission with any personal voter data. ...

Yesterday’s ruling is merely the first in a string of lawsuits challenging the Commission. Those lawsuits send a strong message—the Commission will face opposition at every step of the way from those who are fighting to protect our voting rights, our privacy, and our democratic principles.

Note that California claims the commission asked for “personal data,” but in reality, the commission explicitly requested “publicly available voter-roll data.” California’s deceptive refusal of this request and the ample openings for non-citizens to vote take on added significance in the light of this next topic.

Who Do Non-Citizens Vote For?

In the 2008 presidential election, 82% of non-citizens who admitted that they voted stated that they voted for Democrat Barack Obama, while only 18% said they voted for Republican John McCain. Showing this was not a fluke, Richman found in multiple surveys conducted from 2006 to 2022 that 73% to 82% of non-citizens supported Democratic candidates.

Those outcomes accord with the promises and actions of Democrat politicians to give wide-ranging welfare and full amnesty to people who immigrate to the United States legally or illegally. The implications of this are further highlighted by facts like the following:

- A nationally representative bilingual survey of 784 immigrant Latinos conducted by Pew Research in 2011 found that 81% said they would prefer “a bigger government providing more services,” and 12% said they would prefer “a smaller government with fewer services.” In stark contrast, 41% of the general U.S. population said they would prefer a bigger government, and 48% said they want a smaller one.

- Surveys conducted by YouGov in 2008 and 2012 [found](#) that 60% to 71% of non-citizens identified as Democrats, while only 16% to 17% identified as Republicans.
- A nationally representative bilingual survey of 800 Hispanic adults conducted by [McLaughlin & Associates](#) in 2013 found that 59% were born outside the U.S., 53% considered themselves to be Democrats, and 12% considered themselves to be Republicans.

Conclusion

Every illegal vote cast by a non-citizen nullifies the legal vote of a citizen, thereby subverting their [Constitutional right](#) to vote.

A wealth of data and corroborating facts show that:

- non-citizens have ample openings to illegally vote.
- roughly 10% to 27% of them are registered to vote.
- about 5% to 13% of them vote in presidential elections.
- the vast bulk of them vote for Democrats.

Given the estimates above and the fact that more than 20 million non-citizen adults live in the U.S., roughly 1.0 million to 2.7 million of them will illegally vote in 2024 unless stronger election integrity measures are implemented. This could easily overturn the will of the American people in close major elections.

Instead of reporting these facts or mitigating this threat to every citizen's right to vote, "fact checkers," major media outlets, and elected Democrats are denying this problem exists.

NOTE (6/27/24): Just Facts has published a [thorough rebuttal](#) to critiques of this study.

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