

Trevor Potter Comments in The Atlantic on Mail-In and Absentee Ballots

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In normal times, it would seem outlandish to worry that an American president might refuse to concede defeat upon losing his bid for reelection. This year it is not. Even though he won in 2016, Donald Trump falsely claimed that he was the victim of voter fraud. And when he sat down for an interview with Fox News' Chris Wallace this July, he said: "I think mail-in voting is going to rig the election. I really do."

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Above all, they urged voters to be alert to how politicians might try to sow confusion. According to Trevor Potter, the president of the Campaign Legal Center and a former chairman of the Federal Election Commission, Democrats are likely to use mail-in and absentee ballots in much greater numbers than Republicans. As a result, the votes that are counted on Election Night could skew in Trump's favor even though he is headed for defeat. Under such a scenario, Potter warned, "Trump is likely to argue that absentee ballots are fraudulent and that the election is being stolen." Ignore him.

They also advised voters to distinguish between ordinary forms of electoral malfunction and an extraordinary attack. As in virtually every American election, voter suppression may take place in some form. This is manifestly unjust. But, Potter cautioned, "unless the elections are extremely close, that should not be seen as undermining the legitimacy of the election's outcome." If voting machines were hacked en masse, or if the federal government issued stay-at-home orders that applied only in major cities, however, that would signal illegitimacy.

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