

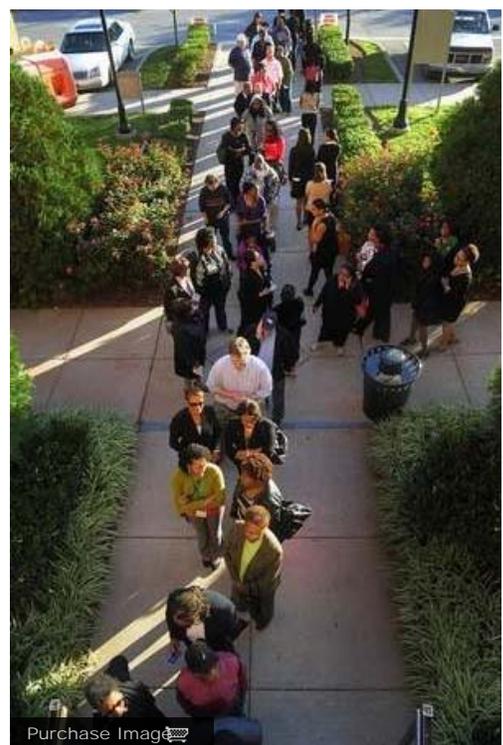
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Citizenship review of new foreign-born voters is dropped

Davidson County Election Commission decision pleases immigrant advocates

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Early voters wait in line outside the Davidson County Election Commission in October 2012. / John Partipilo / File / The Tennessean

The Davidson County Election Commission voted Thursday to drop a legally questionable plan to [review the citizenship status](#) of recently registered voters born outside the United States and urged the state to complete its own review of the voter rolls.

The unanimous vote to rescind a month-old decision, after nearly an hour of discussion, pleased immigrant rights advocates and other groups who say Nashville needs to treat all residents fairly.

“This just reaffirms that Nashville is a welcoming city for all,” said Stephen Zralek, a member of the steering committee of [Nashville for All of Us](#). “We agree that only U.S. citizens should vote, but this proposal was an insult to U.S. citizens who weren’t born here.”

Written by [Michael Cass](#)
The Tennessean

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The election commission voted to implore the state election coordinator, Mark Goins, who works for Secretary of State Tre Hargett, to complete his own report on people who registered to vote but might not be citizens. State officials have indicated that report will be completed by the first week of April — more than a year and three elections after it should have been ready, election commissioners said.

The commission voted 3-2 on Feb. 21 to ask the Tennessee

Department of Safety and Homeland Security to review the citizenship status of people born in other countries who registered to vote after March 1. But Metro attorneys later said doing so would [violate the 14th Amendment](#) of the U.S. Constitution and the National Voter Registration Act — also known as the “motor voter law” — by creating two different classes of voters and scrutinizing one class more than the other.



Steve Abernathy

Steve Abernathy, the Republican election commissioner who proposed the study, and his attorney, Larry Crain, said they would await the state’s response and could take legal action if they don’t like the result.

In a prepared statement, Goins said the Division of Elections “remains committed to maintaining the accuracy of our voter rolls and will continue to take all legal actions available to remove ineligible voters.”

Abernathy, who ultimately voted with the other commissioners to rescind his own plan, said there could be 3,000 to 10,000 noncitizens in Davidson County who have registered to vote at the Department of Safety through the motor voter law but shouldn’t have been able to, which he said was not their fault.

“We believe the number is much lower than that,” said Blake Fontenay, spokesman for the Tennessee secretary of state’s office. “We’re continuing to investigate.”

Kathleen Starnes, outgoing chairwoman of the Davidson County Republican Party, said some immigrants are probably going to the Department of Safety to get a driver’s license and taking advantage of the chance to register to vote.

“There are people that really don’t understand,” Starnes said. “And if somebody says, ‘Do you want to vote?’ ... they want to vote. They don’t know the process. They don’t understand that you have to be a citizen. And they’re doing it unintentionally, I would hope.”



Patricia Heim

Mary Mancini, executive director of [Tennessee Citizen Action](#), a voting rights

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of foreign-born voters?

advocacy group, said the county's real problem with the Department of Safety is that people who have registered to vote there have been left off the voting rolls.

"There is a severe disconnect between the Department of Safety registering voters and those voter registrations physically getting to the Election Commission," Mancini said in a written statement, citing the observations of nonpartisan poll watchers during the November election.

Definition disputed

Abernathy, who wrote in an email to supporters Thursday morning that his plan was given to him by God and could "save America," said during the meeting that noncitizens' votes could get them deported. He also said each vote would disenfranchise a legal voter.

Patricia Heim, a fellow Republican who voted against the citizenship review from the start, disagreed with Abernathy's terminology, saying disenfranchisement occurs only when someone is not allowed to cast a ballot.

Stephanie Teatro, director of advocacy for the [Tennessee Immigrant and Refugee Rights Coalition](#), said the election commission's vote would "protect the citizens of Davidson County."

She wrote that "we should work to facilitate the civic engagement of New Tennesseans, not create discriminatory barriers to full participation. Today's reversal is a step in the right direction."

Should election commissions check the citizenship of foreign-born voters?

Yes

No

I don't know.

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