

Federal Court Slaps Down Minnesota's Attempt to Silence Election Integrity Group

A county government in Minnesota tried to sue an election integrity group into silence for simply questioning whether felons should be allowed to vote. Now a federal appeals court has stepped in to protect their right to speak.

The 8th U.S. Circuit Court of Appeals unanimously ruled that Minnesota cannot use its voter-interference law to threaten prosecution against the Minnesota Voters Alliance and its members for expressing their belief that the state's felon voting policy violates the state constitution. The three-judge panel, appointed by Presidents George W. Bush and Donald Trump, ordered a lower court to block the law as applied to the group while their case proceeds.

"A group of Minnesotans want to express their belief that certain felons cannot vote. Can the state criminalize their speech? In denying a preliminary injunction, the district court thought so. We disagree," Judge David Stras wrote for the panel, calling the law a prior restraint lacking "procedural safeguards."

The case centers on a pair of laws signed by Democratic Gov. Tim Walz in 2023. House File 28 restored voting rights to felons who are "not incarcerated for the offense," even if they're still serving their sentence. House File 3, the "deceptive practices" law, made it a crime to transmit information within 60 days of an election that "intends to impede or prevent another person from exercising the right to vote" if the information is known to be "materially false,"

including statements about “qualifications for or restrictions on voter eligibility.”

The Minnesota Voters Alliance argues this law puts a target on their backs simply for voicing their constitutional interpretation. Their fears aren’t hypothetical. Anoka County actually filed a counterclaim against the group after MVA sued Attorney General Keith Ellison and Anoka County Attorney Brad Johnson, seeking money damages and an injunction against MVA for allegedly violating the law.



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Legal groups representing MVA celebrated the ruling as a victory for free expression.

“The First Amendment does not allow the government to end an argument by threatening prosecution,” said Doug Seaton, president of the Upper Midwest Law Center.

Reilly Stephens, senior counsel at Liberty Justice Center, added that Minnesota cannot “silence political debate simply because an election is near.”

Attorney General Ellison’s office did not respond to requests for comment on the ruling.

Not everyone sided with free speech in this fight. The ACLU, which has shifted its priorities since the 2017 “Unite the Right” rally, filed a friend-of-the-court brief supporting the state’s position. The organization argued the election censorship law is narrowly tailored and responds to “incidents of purposeful, targeted election disinformation aimed at preventing voters from exercising their constitutional right.”

Cameron Kister, counsel for the progressive group Protect Democracy United, accused the appeals court of violating its own precedent, arguing the law “targets falsity deployed to

accomplish a harm the common law has recognized for centuries.”

Minnesota has become a testing ground for First Amendment restrictions, having also enacted mandatory social media warning labels and criminal bans on AI-generated content, including election-related “deepfakes” that mock politicians.

The Minnesota Voters Alliance previously lost a separate challenge to the felon-voting law itself. The Minnesota Supreme Court dismissed that case, ruling that the “taxpayer standing” claimed by MVA and its members was insufficient.

But this latest ruling means the group can continue publicly arguing their position without fear of prosecution, at least while the case moves forward. A win for citizens who believe the government shouldn’t be in the business of deciding which political opinions are too dangerous to speak aloud.

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