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ACRU Election Integrity Bulletin

LEAD STORY

Tennessee: Senator Ketron to Back New Voting Legislation

State Sen. Bill Ketron is planning to back legislation in 2018 designed to remove potentially illegal voters from election rolls by identifying individuals ineligible for jury duty. Such a measure would require Tennesseans selected for jury duty to be cross-checked with local election offices to determine whether they are legal voters, according to Ketron. Jury pools are derived from voter rolls compiled by county election offices. People wouldn't be removed from voting rolls for missing jury duty, said Ketron, who came up with the idea after attending a voter integrity meeting recently at an American Legislative Exchange Council (ALEC) summit in Nashville.

https://www.murfreesboropost.com/news/ketron-to-back-new-voting-legislation/article_f5801c8a-ea64-11e7-8094-bf01692a2e3e.html

FEDERAL

District of Columbia Appeals Court Says Privacy Group Can't Challenge Trump Voter Fraud Panel

A federal appeals court ruled that a privacy group lacks the legal standing to sue President Trump's voter fraud commission over its collection of voter roll data. The three-judge panel of the U.S. Court of Appeals for the District of Columbia Circuit rejected the lawsuit from the Electronic Privacy Information Center, which sought to block the Presidential Advisory Commission on Election Integrity from collecting voter roll information from states, including

birth dates, addresses, political affiliations, and partial Social Security numbers.

www.washingtonexaminer.com/appeals-court-says-privacy-group-cant-challenge-trump-voter-fraud-panel/article/2644386

STATES

Alabama: State Disproves the Case Against Voter ID

Liberals were ready to blame Jones's defeat on 'suppression.' Then black voters helped him win. If Democrat Doug Jones had lost the Senate contest in Alabama last week to Republican Roy Moore, does anyone doubt that the state's voter ID laws would have been blamed? Actually, we don't have to guess, because Election Day brought observations like this tweet from columnist Paul Krugman: "Totally unclear who will win AL. But it's so close that if Moore does win, voter suppression will have made the difference."

<https://www.wsj.com/articles/alabama-disproves-the-case-against-voter-id-1513728214>

Nebraska: Lawmakers Hope to Revive Stalled Voter ID Bill in 2018

Lawmakers will once again consider legislation that could require voters to show a government-issued identification card at the polls. Sen. John Murante of Gretna said he plans to introduce legislation to complement a pending measure that would put the issue before voters in the November general election. Murante said the new measures would give lawmakers several options of how the voter ID proposal would work, if voters approve it.

www.starherald.com/news/regional_statewide/nebraska-senators-hope-to-revive-stalled-bills-in/article_9beac342-c6b1-5008-9afe-80587ddb1164.html

New Hampshire: Outside Group Jumps into N.H. Voter Eligibility Battle

Priorities USA announced the launch Wednesday of a digital campaign that targets Gov. Chris Sununu and four GOP state senators, urging Granite Staters to call their elected officials “and demand they oppose HB 372.” A state Senate amendment added to the state House of Representatives bill could require voters to declare residency in the state. That’s a higher bar for voting eligibility than current state law, which requires only that voters be domiciled in New Hampshire.

Granite State Democratic leaders have condemned the move, which would mostly affect out-of-state students attending in-state colleges and universities, calling it an attempt to suppress voting among a group that tends to support Democrats.

www.concordmonitor.com/Top-outside-group-jumps-into-New-Hampshire-voter-eligibility-battle-14557360

Nevada: Election Group to Help Nevada Defend Recall Elections

An election integrity group was granted permission to intervene and help Nevada defend against efforts by Hillary Clinton’s former top campaign lawyer to halt recall elections that could potentially flip party control of the senate in the state. “States have the power to design their own election systems. Abusing the Voting Rights Act to attack state power is wrong and unconstitutional,” J. Christian Adams, PILF president and general counsel, said in a release. “The Voting Rights Act is not a law designed to help Democratic Party interests. PILF has been granted leave to make these in court. The true purpose of the Voting Rights Act was to stop racial discrimination, not to invalidate state laws that have nothing to do with race.”

www.freebeacon.com/politics/election-group-help-nevada-defend-recall-elections/

West Virginia: Voter ID: New Law Can Only Have Positive Effect

Claims that attempts to ensure elections are honest are “voter suppression” have been rejected for the most part by West Virginia legislators—and, it needs to be said, the vast majority of those registered to cast ballots. What could be wrong with insisting that only

real, live people can vote and that those who show up at the polls are who they claim to be? Beginning next year, our state will take another step toward securing the election process. A new voter identification law takes effect Jan. 1. It requires that anyone voting in any election in our state, and that includes municipal and county balloting, show poll workers current identification documents.

<http://www.newsandsentinel.com/opinion/editorials/2017/12/voter-id-new-law-can-only-have-positive-effect/>

REDISTRICTING

National Review: Dubious Efficiency Gap Theory Reaches the Supreme Court

Last month, the Supreme Court heard arguments in *Gill v. Whitford*, which concerns gerrymandering in Wisconsin. *Gill* is the latest of many instances in which progressives have taken to the courts to advance their electoral cause when they couldn’t win at the polls. The plaintiffs in the case advanced a novel theory, the “efficiency gap,” which purports to varnish their old arguments with a fresh coat of mathematical certainty, replacing politics with math, whether the people agree or not. One problem with elevating recently invented theories to the level of constitutional law is that they are found nowhere in the Constitution. But even if you are willing to overlook that important detail, there is also the lack of evidence that the “efficiency gap” theory is true. It works for the *Gill* plaintiffs because they think it would achieve the result they want: more Democratic state legislators. But, as the 2017 House of Delegates elections in Virginia have recently shown us, the theory has serious flaws. Hopefully, Justice Kennedy will see the efficiency gap as the flawed metric it is, rather than the mystical solution he prophesied in *Vieth*.

www.nationalreview.com/article/454926/gerrymandering-efficiency-gap-dubious-liberal-legal-theory-reaches-supreme-court