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ACRU Election Integrity Bulletin

LEAD STORY

Supreme Court Mulls Ohio's Voter Purge Program, with Future Elections in Balance

The Supreme Court hinted it may allow states more flexibility to remove registered voters from state rolls during a lively argument on Wednesday. A majority of the Court appeared ready to sanction Ohio's voter purge program, which Democrats have linked to a broader voter suppression effort. At issue in Wednesday's case, *Husted v. A. Philip Randolph Institute*, was Ohio's registry maintenance policy. Voters in Ohio who fail to vote in a federal election are issued a confirmation notice by mail. If a voter fails to return the notice, and does not vote over the next four years, the voter is removed from state rolls. Ohio says the program helps the state determine which citizens have died or moved to different jurisdictions, warranting their removal from the registry. Almost 20 other states include voter inactivity in their registry maintenance programs. A handful of states, including Pennsylvania, use policies similar to Ohio's.

<http://dailycaller.com/2018/01/10/democrats-are-terrified-that-the-supreme-court-is-about-to-ok-voter-suppression/>

FEDERAL

USA Today: Hostility to Census Question Is Overblown

By asking the Census Bureau to provide a question on citizenship, the Trump administration is simply trying to get accurate information on the American population.

It's not new; previous Censuses have asked this question. Hostility to this limited reform is overblown, though unfortunately to be expected. A census' key contribution to democracy—or rule by the people—is thus to provide the demos, to answer the existential question of what constitutes a people. America's Founders understood this, which is why they required one in Article 1 of the Constitution. Asking about one's immigration status is a modest, commonsense reform.

<https://www.usatoday.com/story/opinion/2018/01/08/hostility-census-question-citizenship-overblown-editorials-debates/109280860/>

Judge Ends Consent Decree Limiting RNC 'Ballot Security' Activities

After more than three decades, Republicans are free of a federal court consent decree that sharply limited the Republican National Committee's ability to challenge voters' qualifications and target the kind of fraud President Donald Trump has alleged affected the 2016 presidential race. An RNC official praised the ruling. "We are gratified that the judge recognized our full compliance with the consent decree and rejected the DNC's baseless claims," said RNC communications director Ryan Mahoney. "Today's ruling will allow the RNC to work more closely with state parties and campaigns to do what we do best, ensure that more people vote through our unmatched field program." While the end of the decree means the RNC is now free to step up its efforts on voter fraud and to take a role in coordinating Election Day poll monitoring, it is unclear whether the national party will resume such work, which has been left to individual campaigns and state parties in recent years.

<https://www.politico.com/story/2018/01/09/rnc-ballot-security-consent-decree-328995>

(more)

STATES**Alabama: Federal Judge Tosses NAACP Lawsuit Challenging Alabama's Voter ID Law**

A federal judge has dismissed a lawsuit challenging the constitutionality of Alabama's voter identification law. The lawsuit challenging Alabama's law was filed around the same time a larger voter ID campaign was underway in a number of states that was spearheaded by the Hillary Clinton campaign's top lawyer, Marc Elias. U.S. District Judge L. Scott Coogler dismissed the suit on Wednesday by saying that there is not an undue burden placed on individuals who wish to vote. A person who does not have a photo identification is not prevented from casting a ballot because it is "so easy" to obtain one in Alabama, a portion of the court order reads. Photo IDs are available free of charge to residents of the state. Alabama Attorney General Steve Marshall said the decision to dismiss the lawsuit was "without a doubt the right decision." "Alabama's voter identification law is one of the broadest in the nation with procedures in place to allow anyone who does not have a photo ID to obtain one," said Marshall. "The court order makes the point exceedingly clear: '... a person who does not have a photo ID is not prevented from voting if he or she can easily get one, and it is so easy to get a photo ID in Alabama, no one is prevented from voting.'"

<http://freebeacon.com/issues/judge-tosses-naacp-lawsuit-challenging-alabamas-voter-id-law/>

Iowa: Secretary of State Paul Pate Reminds Iowans of New Voter ID Law

Secretary of State Paul Pate says the time for arguing the politics of a voter ID law are over and it's time for Iowans to make sure they're ready for the changes. In 2017 the Iowa Legislature passed Pate's voter ID legislation, requiring all Iowans to have a state-issued ID before they're given a ballot on election day. For most Iowans that means showing a driver's license. Those who don't have licenses will be issued a voter ID card for free. Pate says 123,000 of those cards have already been mailed to Iowans who are registered to vote but aren't in the Iowa DOT database.

<http://whotv.com/2018/01/10/secretary-of-state-paul-pate-reminds-iowans-of-new-voter-id-law/>

Minnesota: Man Admits Voter Fraud Crime

53-year-old Jeffery John Spanier pleaded guilty to registration of an ineligible voter, a felony. A charge of being an ineligible voter who knowingly votes was dismissed. Spanier was sentenced to four years' probation. He faced a maximum sentence of five years in prison and a fine of \$10,000. Spanier lied about being a convicted felon when he registered to vote in Sartell on Election Day 2016.

<http://knsiradio.com/news/local-news/man-admits-voter-fraud#.WlrMdnpf31Q.twitter>

North Carolina: Durham Elections Worker Pleads Guilty to Altering Vote Counts in 2016 Primary

A former Durham County elections worker has pleaded guilty to a misdemeanor related to the mishandling of provisional ballot results during the March 2016 primary election. Richard Robert Rawling, 59, of Cary, pleaded guilty to failure to discharge a duty of his office and was sentenced to 30 days in jail, suspended to a year on probation and a \$500 fine, according to the State Board of Elections and Ethics Enforcement. An obstruction of justice charge was dismissed.

<http://www.wral.com/durham-elections-worker-pleads-guilty-to-altering-vote-counts-in-2016-primary/17247689/>

REDISTRICTING**Supreme Court Takes Up Fight Over Texas Electoral Districts**

The high court in September put both lower court rulings that had invalidated the Republican-drawn districts on hold. The justices were divided 5-4, with the five conservatives backing the Texas Republicans and the four liberals dissenting, suggesting they could be similarly divided when they eventually rule on the merits of the case. Republican Texas Attorney General Ken Paxton welcomed the court's involvement, describing the lower court ruling as "inexplicable and indefensible." "We are eager for the chance to present our case before the U.S. Supreme Court," Paxton added.

<https://www.reuters.com/article/us-usa-court-texas/supreme-court-takes-up-fight-over-texas-electoral-districts-idUSKBN1F12IR>

North Carolina: Judges Strike Down Congressional Maps

Federal judges have ruled that North Carolina's congressional district map drawn by legislative Republicans is illegally gerrymandered because of excessive partisanship that gave the GOP a rock-solid advantage for most seats and must quickly be redone. The latest lawsuit—filed by election advocacy groups and Democrats—said the replacement for the racial gerrymander also contained unlawful partisan gerrymanders. Those who sued argued that Republican legislators went too far when they followed criteria designed to retain the party's 10-3 majority in the state delegation.

<http://bpr.org/post/judges-strike-down-north-carolina-congressional-maps>