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ACRU Election Integrity Bulletin

Ed Feulner: Reversing a Dangerous Power Grab: The Feds Just Took over the U.S. Election Process

“There’s no denying what this looks like: a blatant move to politicize the election process. After all, [Jeh] Johnson bypassed the EAC, which was set up by Congress as a bipartisan, independent agency to guard against having elections ‘handled or governed’ by a partisan branch of the Federal Government’ that is under the control of whatever party occupies the White House. Mr. Johnson actually denied the move was ‘a federal takeover.’ But that’s exactly what it is. It’s a takeover ostensibly designed to address a nonexistent security threat—and in the process, ironically, make our elections less secure. Despite all this talk about the Russians hacking us, the real enemy is within. It’s time to expose this naked power grab—and reverse it.”

<http://m.washingtontimes.com/news/2017/jan/16/feds-just-took-over-us-election-process/>

DHS Move on Election Security Unlikely to Survive Transition

The controversial decision by the Department of Homeland Security to designate the nation’s election system as “critical infrastructure” has touched off a firestorm of opposition, and the incoming Trump administration has all but promised to overturn it. In prepared answers to a pre-hearing confirmation questionnaire earlier this month, the man tapped by President-elect Donald Trump to head DHS, retired Marine Gen. John

Kelly, made clear his unease about the decision. “The notion that DHS can or should exercise some degree of influence over state voting systems is highly controversial and appears to be a political question beyond the scope of DHS’ current legislative cyber mandates,” Kelly wrote.

<http://www.wsj.com/video/sessions-on-voting-rights-act-id-laws/B32AB01C-24F2-436E-A0A6-C8D8E68DDAAB.html>

DEPARTMENT OF JUSTICE

Pasadena, Texas Back under Federal Oversight through 2023 for Latino Voting Rights Violations

A judge on Jan. 16 ordered federal oversight of the city of Pasadena's election system for the next 6½ years, the latest development in a landmark voting rights case that has highlighted contentious racial politics in the blue-collar suburb and beyond. In a final judgment, Chief U.S. District Judge Lee H. Rosenthal said the court would keep jurisdiction over Pasadena until June 30, 2023, to ensure "the city cannot immediately return to a map and plan that thwarts Latinos on the cusp of an electoral majority." The ruling – issued on a federal holiday recognizing the birthday of Martin Luther King Jr., whose civil rights crusade led to the Voting Rights Act of 1965 – said the city must seek "preclearance" from the U.S. attorney general or from the court before changing its election system.

<http://www.houstonchronicle.com/news/houston-texas/houston/article/Judge-Pasadena-back-under-federal-oversight-10861303.php>

Court Grants DOJ Request to Delay Texas Voter ID hearing

Within hours of Donald Trump being sworn in as president on Friday, a Corpus Christi federal court postponed a scheduled hearing in the Texas Voter ID case until next month at the request of the U.S. Department of Justice. DOJ lawyers asked for a delay in the hearing scheduled for Tuesday, citing the change in presidential administrations. "Because of the change in administration, the Department of Justice also experienced a transition in leadership," the Justice Department petition states. "The United States requires additional time to brief the new leadership of the Department on this case and the issues to be addressed at that hearing before making any representations to the Court."

<http://www.houstonchronicle.com/local/texas-politics/texas-legislature/article/Justice-Dept-seeks-to-delay-Texas-voter-ID-10872642.php>

Under Trump, Approach to Civil Rights Law Is Likely to Change Definitively

https://www.nytimes.com/2017/01/19/us/politics/civil-rights-justice-department-donald-trump.html?_r=0

LEGISLATION IN THE STATES

Iowa's Pate Questions Absentee Ballot Integrity

"Because more than 40% of voters are voting absentee ballots, I want to ensure the integrity of those ballots," Secretary of State Paul Pate said, explaining that, when you register to vote, you provide an ID number from a driver's license or other document. Under his proposal, registrants would put that same number on their absentee ballot request. "Right now they sign the absentee ballot request," Pate said. "We're just adding another line that says put your PIN number or ID number on

it. The challenge we face right now is people move."

<http://iowapublicradio.org/post/absentee-ballot-integrity-questioned#stream/0>

New Mexico Democrats Propose Amendment on Automatic Voter Registration

All eligible voters in New Mexico should be registered, and the government should do it for them automatically, three Democratic lawmakers said Wednesday in announcing a proposal to enshrine new election law in the state constitution.

<http://nmpoliticalreport.com/145751/democrats-propose-amendment-calling-for-automatic-voter-registration/>

PILF's Logan Churchwell Supports Iowa's "Election Integrity Package"

"There are two sides to the election integrity equation," Churchwell said. "Voter ID policies and the like are great, but careful voter roll maintenance must be occurring as well. Election administrators need to better live up to their end of the bargain."

<https://publicinterestlegal.org/election-law-live/public-interest-legal-lauds-iowa-voter-id-package/>

<http://www.desmoinesregister.com/story/opinion/readers/2017/01/20/iowas-election-integrity-package-can-do-more/96690934/>

After Voter Fraud Claims, N.C. Legislators Could Change Election Laws

While some people were wrongly accused, an elections board official searched a database and found 339 voters who appeared to be serving an active felony sentence. "It's going to be incumbent on both parties to find some solutions to very difficult issues that have come out," N.C. Republican Party Executive Director Dallas

Woodhouse said as the post-election process wrapped up.

<http://www.charlotteobserver.com/news/politics-government/article127927339.html>

“Voting Rights” Advocates Seek to Rein in Kansas Election Laws – Reduce Voter Fraud Felonies to Misdemeanors, Remove Power to Prosecute Voter Fraud, and Have Same-Day Registration

In the 2017 Kansas Legislature, with about two dozen new lawmakers elected in a “moderate” wave last fall, a backlash against the restrictive election laws may be brewing. Democrats are expected to push to repeal the proof-of-citizen registration requirement that Secretary of State Kris Kobach is defending on several fronts in court. One bill seeks to allow same-day registration so people can register when they go to the polls to vote. Another bill would remove Kobach’s prosecutorial power and make penalties for election law violations misdemeanors rather than felonies. Among that wave of newly elected “moderate” lawmakers is state Sen. Dinah Sykes, a Republican from Lenexa. She said she heard concerns about voting rights from people in her district as she campaigned. She believes Kobach “pushes the boundaries” with his prosecutorial power. She also supports same-day registration to vote.

<http://www.washingtontimes.com/news/2017/jan/21/voting-rights-advocates-seek-to-rein-in-kansas-ele/>

REDISTRICTING

U.S. Supreme Court Puts NC Legislative Redistricting, 2017 Elections on Hold

The high court temporarily blocked a lower court ruling ordering North Carolina legislators to redraw state legislative districts and hold special elections within the altered districts this fall. Tuesday’s court order granted the request of North Carolina Republican legislative leaders to delay the ruling by a three-judge panel. The lower court last summer threw out 28 state House and Senate districts as racial gerrymanders.

http://www.journalnow.com/news/state_region/us-supreme-court-puts-nc-legislative-redistricting-elections-on-hold/article_48cfd624-a911-5672-a5e8-8c7d8ec60880.html