



June 26, 2017

# ACRU Election Integrity Bulletin

## FEDERAL

### The Supreme Court Agrees to Tackle the Biggest Election Law Case in Years. Will It 'Weaponize' Our Federal Courts?

Hans von Spakovsky at FoxNews.com: The U.S. Supreme Court announced that it would take up a Wisconsin redistricting case. Its decision in *Gill v. Whitford* will determine whether the Court intrudes into the realm of partisan gerrymandering, a “political thicket” into which previous justices have feared to tread. In *Gill v. Whitford*, a split three-judge federal panel invalidated Wisconsin’s redistricting plan for its state legislature. The two-judge majority claimed that it was an unconstitutional gerrymander, because the Republican-controlled legislature had drawn districts favoring the Republican Party. The panel came to this conclusion despite the fact—undisputed in the case—that the legislature had followed all the redistricting criteria traditionally used by states.

<http://www.foxnews.com/opinion/2017/06/20/supreme-court-agrees-to-tackle-biggest-election-law-case-in-years-will-it-weaponize-our-federal-courts.html>

### Russia 'Did Not Alter Ballots' in 2016 Election, Former DHS Head Testifies

Former Homeland Security Secretary Jeh Johnson testified before the House Intelligence Committee on Wednesday that the Russian government did not "alter ballots, ballot counts, or reporting of election results," during its 2016 hacking campaign. "To my current knowledge, the Russian government did not through any cyber intrusion alter ballots, ballot counts or reporting of election results," Johnson said, according to his planned testimony published online Tuesday night. On relations with state election officials: "To my disappointment, the reaction to a critical infrastructure designation, at least from those who spoke up, ranged from neutral to negative," Johnson said. "Those who expressed negative views stated that running elections in this country was the sovereign and exclusive responsibility of the states, and they did not want federal intrusion, a federal takeover, or federal regulation of that process."

<http://www.washingtonexaminer.com/former-dhs-head-jeh-johnson-to-testify-russia-did-not-alter-ballots-in-2016-election/article/2626581>

## Top Election Official Found No Credible Evidence of Election Tampering

Indiana Secretary of State Connie Lawson told the Senate Select Committee on Intelligence that officials saw no “credible evidence” of election hacking or vote-counting “subject to manipulation in any state or locality in the 2016 election cycle.” Lawson, the incoming president of the non-partisan National Association of Secretaries of State (NASS), will pointedly emphasize that former President Barack Obama’s administration never warned election officials of a threat to electoral systems. [http://dailycaller.com/2017/06/20/exclusive-top-election-official-found-no-credible-evidence-of-election-tampering/?utm\\_source=site-share](http://dailycaller.com/2017/06/20/exclusive-top-election-official-found-no-credible-evidence-of-election-tampering/?utm_source=site-share)

## The Left’s Crusade against Honest Elections

Michael Thielen, RNLA executive director, in the Daily Caller: “The New York Times and other mainstream media outlets are providing a vehicle for the radical liberals now controlling the Democratic Party to disseminate their anti-election integrity message. The sensational rhetoric and fact-free war is unfortunate in what should be a common goal for all Americans: open, fair and honest elections.” [http://dailycaller.com/2017/06/22/the-lefts-crusade-against-honest-elections/?utm\\_source=site-share](http://dailycaller.com/2017/06/22/the-lefts-crusade-against-honest-elections/?utm_source=site-share)

## New Study Supports Trump: Millions of Noncitizens May Have Cast Illegal Votes

As many as 5.7 million noncitizens may have voted in the 2008 election, which put Barack Obama in the White House. The research organization Just Facts, a widely cited, independent think tank led by self-described conservatives and libertarians, revealed its number-crunching in a report on national immigration. Just Facts President James D. Agresti and his team looked at data from an extensive Harvard/YouGov study that every two years questions a sample size of tens of thousands of voters. Some acknowledge they are noncitizens and are thus ineligible to vote. <http://nation.foxnews.com/2017/06/20/new-study-supports-trump-57-million-noncitizens-may-have-cast-illegal-votes?section=10368>

## 1.4 Million Illegals Working under Stolen Social Security Numbers

Most illegal immigrants who pay taxes have stolen someone else’s legal identity, and the IRS doesn’t do a very good job of letting those American citizens and legal immigrants know they’re being impersonated, according to Washington Times reporter Stephen Dinan. <http://www.washingtontimes.com/news/2017/jun/22/14-million-illegals-working-stolen-social-security/>

## The Federalist Society: Court Rulings on Election Law – Podcast

Hans von Spakovsky in August, 2010, discussed a series of court decisions at both the federal district court and court of appeals level involving election reforms in North Carolina, North Dakota, Texas and Wisconsin. These cases involve state statutes on voter ID, early voting, same-day registration, and out-of-precinct voting. <http://www.fed-soc.org/multimedia/detail/court-rulings-on-election-law-podcast>

## STATES

### Wisconsin: No, Hillary, Voter ID Laws Don't 'Suppress' Turnout

In National Review, Hans von Spakovsky and Benjamin Janacek write, “Mrs. Clinton maligns Wisconsin’s effort to protect the integrity of its elections in an attempt to excuse her own fatally flawed campaign. Just last month, she chalked it up to ‘voter suppression’ in Wisconsin. This spurious claim was a reference to the Badger State’s common-sense voter-ID law, which has been upheld by the courts. It followed on the heels of a tweet from Wisconsin’s Democratic U.S. senator, Tammy Baldwin, claiming the law had reduced voter turnout by 200,000 statewide. Both claims relied on a study commissioned by Priorities USA Action and conducted by CIVIS USA, two liberal groups that actively supported Clinton’s presidential bid. Unfortunately for Clinton and Baldwin, though, the study has been roundly debunked. Politifact rated Baldwin’s claim as ‘Mostly False,’ asserting that ‘experts . . . question the methodology of the report and say there is no way to put a number on how many people in Wisconsin didn’t vote because of the ID requirement.’”

<http://www.nationalreview.com/article/448765/hillary-clinton-wisconsin-voter-suppression-claim-dubious-excuse-flawed-campaign>

### Indiana: Canvassers Charged in Fraudulent Voter Registrations

Prosecutors allege that 11 temporary workers employed by the Indiana Voter Registration Project created and submitted an unknown number of falsified applications to meet quotas. According to a probable cause affidavit, a supervisor for those canvassers was also charged, as was the group.

[https://apnews.com/6b71a926cb624a209851b41ac616b184?utm\\_campaign=SocialFlow&utm\\_source=Twitter&utm\\_medium=AP](https://apnews.com/6b71a926cb624a209851b41ac616b184?utm_campaign=SocialFlow&utm_source=Twitter&utm_medium=AP)

## REDISTRICTING

### SCOTUS Throws Cold Water Early on Obama’s Partisan Gerrymandering Project

The U.S. Supreme Court made headlines on June 19 with its acceptance of a case that argues whether legislative maps can be ruled unconstitutional simply due to the partisan advantages that may be gained from their designs. Some election law experts contend the matter is a means to an end in transferring redistricting powers—commonly held in legislative branches—to commissions not directly answerable to the electorate.

<http://www.breitbart.com/texas/2017/06/19/scotus-throws-cold-water-early-obamas-partisan-gerrymandering-project/>

### In Praise of Gerrymandering: Political Exercises Are Political

Kevin D. Williamson in National Review: “If you believe that those so-called independent commissions dreamed up by our would-be electoral reformers would in fact prove non-partisan, consider how non-partisan and independent our non-partisan and independent media are — or

consider how easy it is to predict which justices will vote which way in any politically charged case before our non-partisan and independent Supreme Court.”

<http://www.nationalreview.com/article/448801/gerrymandering-supreme-court-case-redistricting-legislature-republicans-democrats>