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ACRU Election Integrity Bulletin

FEDERAL

AP: Supreme Court Justices Could Consider Fight over Electoral Maps

In an era of deep partisan divide, the Supreme Court could soon decide whether the drawing of electoral districts can be too political.

<https://apnews.com/0a18c9fbe5934c80994d2c8c1a8a471b>

Will Supremes Cut More of VRA?

After the U.S. Supreme Court's landmark 2013 decision in *Shelby County v. Holder*, Democrats have increasingly turned to another part of the Voting Rights Act, Section 2, to challenge what they see as restrictive voting requirements. Despite recent victories under that provision, election law litigator Paul M. Smith questioned its validity in a "post-Kennedy" world. Smith, of the Campaign Legal Center, Washington, was referring to the speculation that swing-Justice Anthony M. Kennedy might retire in coming years. Section 2 isn't likely to fall in the near future, William S. Consovoy, of Consovoy McCarthy Park PLLC, Washington, said. But if Democrats use Section 2 to aggressively attack state laws, it could put the provision at risk.

<https://www.bna.com/supreme-court-cut-n73014453465/>

DNC Hackers Targeted Conservative Heritage Foundation before Election

The same hackers believed to have been behind the hacking of the Democratic National Committee and

Clinton campaign chair John Podesta targeted employees at the conservative Heritage Foundation during the run-up to the 2016 election. Heritage alerted employees to the phishing attempts in an email just two weeks before the election, adding that the FBI had contacted Heritage about the phishing attempts.

http://dailycaller.com/2017/06/13/exclusive-dnc-hackers-targeted-heritage-foundation-before-election/?utm_source=site-share

Jim Geraghty, National Review Online: Wait, All of a Sudden, Partisan Redistricting Is Unconstitutional? Now?

"Not everything we dislike in this world violates the Constitution. Or at least, there used to be a separation between the merely annoying or disagreeable and the unconstitutional. But now the Supreme Court is asked to weigh in on everything — including whether it's fair that Democratic-leaning voters cluster closely together in urban legislative districts. As Wisconsin Republicans point out, if their redistricting model is unconstitutional, so are those of about one third of the states. How quickly we forget: Careful redrawing of district lines to maximize a political advantage was a big part of launching the career of Barack Obama."

<http://www.nationalreview.com/morning-jolt/448539/wisconsin-partisan-redistricting-jon-ossoffs-georgia-special-election-julius>

Media and Democrats Make the Case to Place Texas under Preclearance for Voting Changes

Court rulings have forced Texas leaders to confront whether they strayed too far in enacting voting laws found to have disproportionately burdened minorities. <https://www.texastribune.org/2017/06/16/voter-wars-kickoff/>

STATES

California Democrats Use Budget Bill to Change Recall Election Rules, Help Colleague

Over impassioned objections from GOP lawmakers, California Democrats used a budget maneuver to help out a freshman colleague, Sen. Josh Newman, who faces an ugly recall battle in Southern California after voting for increasing the state's gas tax less than six months after he was elected. <http://www.mercurynews.com/2017/06/15/california-democrats-use-budget-bill-to-change-recall-election-rules-help-colleague/>

Former Florida Mayor Gets Probation for Voter Fraud Charges

The Orlando Sentinel reports that Anthony Grant, 51, was sentenced to four years of probation and 400 hours of community service. Jurors found him guilty last month of felony voting fraud, a felony election violation and a misdemeanor absentee-voting violation. He had faced up to 11 years in prison. Authorities say Grant and two campaign workers participated in a bribes-for-votes scheme, claiming they offered bribes and lowered rent in exchange for votes by absentee ballots. One of the campaign workers also received probation for the scheme, while the other worker was acquitted by a jury. https://www.usnews.com/news/best-states/florida/articles/2017-06-16/former-florida-mayor-gets-probation-for-voter-fraud-charges?src=usn_tw

Maryland: Non-citizens May Soon Be Able to Vote in College Park Elections

The College Park City Council introduced an amendment to the city's charter to eliminate U.S. citizenship as a voter registration requirement for city elections and authorize a supplementary city voter registration list. A public hearing for the proposed amendment has been scheduled for July 11. <http://www.dbknews.com/2017/06/15/college-park-non-citizen-voting-city-council/>

REDISTRICTING

Legislative Black Caucus Urges Courts to Reject Alabama Redistricting Maps

Last month, the Alabama Legislature passed a law changing voting districts to comply with a federal court order. Now, the Alabama Legislative Black Caucus is contesting those new district maps. In January, the Alabama Legislature was mandated by a court order to redraw 12 districts in the state. The Judges ruled that these districts were unconstitutional, because they relied too heavily on race. <http://whnt.com/2017/06/13/alabama-legislative-black-caucus-urges-the-courts-to-reject-redistricting-maps/>

North Carolina Governor Has No Constitutional Role in Redistricting

As governor, Roy Cooper plays a zero role in creating North Carolina's election maps for the General Assembly or Congress. Neither the constitution nor state law calls on him to draw maps, to order others to draw maps, or to review maps once they're completed. In fact, laws spelling out legislative and congressional election maps face a clear exemption from the governor's review. You can find that exemption in Article II, Section 22 of the state constitution. Unlike other recent disputes pitting the Democrat Cooper against the Republican-led legislature, disagreement about election districts has

no direct impact on the governor's ability to exercise executive authority. Legislative districts help determine the composition of the legislative branch alone.

<http://www.ncspin.com/n-c-governor-no-constitutional-role-in-redistricting/>