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Voting
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Institute

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ACRU Election Integrity Bulletin

LEAD STORY

J. Christian Adams to *Fox News* Host Tucker Carlson: Noncitizens Are Voting in Texas

Watch ACRU Board Member J. Christian Adams explain to Tucker Carlson on *Fox News* how non-citizens are on the voter registration rolls and vote in Texas.

<https://publicinterestlegal.org/blog/j-christian-adams-tucker-carlson-noncitizens-voting-texas/>

FEDERAL

Ed Feulner: Preventing ‘the Tyranny of the Majority’

The Founders were determined to forestall the inherent dangers of what James Madison called “the tyranny of the majority.” So, they constructed something more lasting: a republic. Something with checks and balances. A system of government carefully balanced to safeguard the rights of both the majority and the minority. That led, most notably, to the bicameral structure of our legislative branch. We have a House of Representatives, where the number of members is greater for more populous states (which obviously favors those states), and the Senate, where every state from Rhode Island and Alaska to California and New York have exactly two representatives (which keeps less-populated states from being steamrolled).

<https://www.washingtontimes.com/news/2018/mar/5/preventing-the-tyranny-of-the-majority/>

Washington Times: Secretary of State Kobach Says Kansas Citizenship Verification Law Blocked Up to 18,000 Noncitizen Votes

Kansas Secretary of State Kris Kobach defended his state’s voter registration law Tuesday in federal court, claiming the measure he championed has prevented between 1,000 and 18,000 noncitizens from casting ballots. During opening statements in a federal lawsuit challenging his authority to implement the requirements, Kobach said one of his experts will testify that the higher end of that range is more likely. He argued the law, which requires people to provide documents such as a birth certificate or passport at motor vehicle offices to register to vote, was much more effective than previous policies that required registrants only to check boxes saying they were over 18 and a U.S. citizen. “Just having to sign something saying you are a U.S. citizen is nothing,” Kobach said. Kobach said his office has been able to document 129 noncitizens who voted or tried to vote since 2000, although documentation earlier to the court had the number at 127. He said that number is “the tip of the iceberg and we know the iceberg is much larger.”

<https://www.washingtontimes.com/news/2018/mar/6/kris-kobach-says-kansas-voter-registration-law-blo/>

(more)

STATES

California: Lawmaker Who Backed Voting Rights for Illegals Wants \$500K to Warn Them About Registration Risks

A San Francisco lawmaker who was one of the most fervent supporters of giving illegal immigrants the right to vote in school board elections now wants the city to spend \$500,000 annually to warn illegal immigrants about the potential risks associated with registering to vote. Illegal immigrants will be able to vote in San Francisco for the first time this November, and “warning notices” to let voters know that “the feds may have access to their personal information” would have to be “translated into as many as 48 languages and circulated not just to schools, but also preschools and community resource centers,” according to the *Chronicle*.

www.breitbart.com/california/2018/03/05/sf-lawmaker-who-backed-voting-rights-wants-500k-to-warn-them-about-registration-risks/

Kansas: Trial Begins Over Kansas Law Requiring Citizenship Proof

A trial over a Kansas law that requires proof of U.S. citizenship from people registering to vote opened on Tuesday, with critics calling it illegal and backers saying it was a necessary tool to fight fraud. The lawsuit, filed in February 2016 in the U.S. District Court in Kansas City, Kansas by the American Civil Liberties Union (ACLU), argues that the state law violates the National Voter Registration Act by requiring voters who do not have a driver’s license to show documents such as a birth certificate or U.S. passport for voter registration.

<https://www.politicususa.com/2018/03/06/trial-to-begin-over-kansas-voter-id-law-requiring-citizenship-proof.html>

Indiana: Lawsuit Urges Federal Judge to Add More Early-Voting Sites in Marion County

In the latest development in an ongoing lawsuit over early-voting access in the state’s largest county, plaintiffs have asked U.S. District Judge Sarah Evans

Barker to order the Marion County Election Board to add additional voting sites before the May 8 primaries. The lawsuit alleges that the scarcity of early-voting locations in Marion County discriminates against African-American voters and violates the Constitution. The plaintiffs on Jan. 31 requested a preliminary injunction to force the election board to “establish no fewer than two (overall) satellite voting locations for early, in-person absentee voting for the 2018 primary and general elections.”

<https://www.indystar.com/story/news/2018/03/09/marion-countys-elections-federal-judges-hands-could-federal-judge-force-marion-county-add-more-voting/373244002/>

West Virginia: Non-Citizen Charged by Secretary of State with Perjury

A man from Burkina Faso, now living in Martinsburg through a green card program, has been charged by investigators with the West Virginia Secretary of State for providing false information on his voter registration application. Investigators were alerted of the conduct by Berkeley County Clerk John Small. The Clerk’s office informed the man, Isac Dakuyo, that he had illegally registered and voted in the 2016 election. Despite the warning, Dakuyo again tried to register to vote through the Division of Motor Vehicles’ Motor Voter Program in October of 2017. Providing false information in the registration process constitutes perjury and is a felony under state law.

<http://www.huntingtonnews.net/155464>

Texas: AG Probing Border County Judge ‘Voting’ Years After Death

Texas Attorney General Ken Paxton is investigating a case of purported voter fraud where a border county judge, who, although dead since 2010, continues to vote. This stunning information surfaced at a February Senate Select Committee on Election Security meeting when Brantley Starr, deputy first assistant to the AG, gave a “shout out” to the retired district judge born in 1930 who remains on the registration rolls despite his death nearly eight years ago. “The interesting thing that’s remarkable of him voting three times in his 80’s is he died in May of 2010,” remarked Starr. That voter was Starr County Judge Blas Chapa, whose obituary ran in *The Monitor* within days of his passing. *KRGV* obtained the late judge’s voting

records from the Texas Secretary of State. They showed Chapa voted right up to two months before he died. His voter registration account status remains “active” and, as noted, he voted three times since he died. Records indicate that despite his May 2010 death, he’s credited for casting a regular ballot in November 2010, plus the 2016 primary and general elections.

<http://www.breitbart.com/texas/2018/03/09/texas-ag-probing-border-county-judge-voting-years-death/>

the state court usurped the legislature’s power. Their key argument is that justices only technically gave lawmakers two days to fix the map—not nearly enough time—because while they issued their original order to redraw the map on January 22nd, they didn’t release their full rationale for that decision until February 7th, 48 hours before the legislature’s deadline.

<http://www.witf.org/state-house-sound-bites/2018/03/federal-judges-hear-arguments-in-pa-redistricting-case.php#.WqRYxIANMXo.twitter>

Texas: Attorney General Prosecuting Voter Fraud in Nueces County

Texas is finally starting to crack down on voter fraud. The state’s Attorney General Ken Paxton announced Wednesday that his office is prosecuting three Robstown residents on nine counts of voter fraud committed in Nueces County during the 2016 elections. A grand jury indicted the three on multiple felony charges that include mail-in ballot fraud, ballot theft, vote harvesting, and illegal voting.

<https://empowertexans.com/around-texas/texas-ag-prosecuting-voter-fraud-in-nueces-county/>

REDISTRICTING

Trump: PA Redistricting ‘Very Unfair’ to Republicans

The President hopes to see the Supreme Court reverse the slanted redistricting decision in Pennsylvania.

<https://video.foxnews.com/v/5749131009001/>

Pennsylvania: Federal Judges Hear Arguments in PA Redistricting Case

A fraught redistricting battle in Pennsylvania has taken a small step forward. A panel of three federal judges heard arguments in a case over whether the commonwealth’s Supreme Court violated the federal constitution when it redrew congressional maps last month. Both the plaintiffs and defendants acknowledged, the case doesn’t have any direct precedent. Lawyers for two Republican State Senate leaders and eight GOP congressmen contended that