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ACRU Election Integrity Bulletin

LEAD STORY

Trump Is Mad as Hell with the Democrats on the Pennsylvania Supreme Court

President Donald Trump renewed calls for the U.S. Supreme Court's intervention Saturday after Pennsylvania's highest judicial tribunal struck down the state's congressional district map, finding it was unlawfully tailored to benefit Republicans. The Supreme Court of Pennsylvania imposed a new statewide district map for the November 2018 elections, prompting GOP leaders to appeal to the high court with the president's support. "They're doing a number with the congressional districts in your state," Trump told a friendly audience in Pittsburg, Pa. "And hopefully the Supreme Court will take that case because this is horrible what they've done." The seven members of the Pennsylvania state Supreme Court are elected. Democrats command a five to two majority on the panel. Trump predicted it would be harder for Republicans to prevail under the new map. GOP incumbents currently hold 13 of the state's 18 congressional seats. Projections suggest each party will win nine seats with the new lines. <http://dailycaller.com/2018/03/11/president-trump-us-supreme-court-pennsylvania/>

FEDERAL

Washington Examiner: Redrawing America

For the first time in more than a decade, the U.S. Supreme Court is taking a serious look at partisan

gerrymandering, with two cases before the justices that could have significant impacts on the redistricting process after the 2020 census. If the court determines extreme partisan gerrymandering violates the Constitution, the decision could have a significant impact on how state lawmakers draw legislative and congressional boundaries in the future, with the most immediate round of redistricting occurring after the 2020 census. Such a decision from the justices would particularly affect Republicans, who control a majority of state legislatures and oversee the redistricting process in those states. If the justices decide the courts can weigh in on claims of gerrymandering, some fear their victory could invite a flood of challenges to current and future maps, especially after the next census. The potential for the courts to be inundated with such cases was of concern to Chief Justice John Roberts during oral arguments for the Wisconsin case in October. But others believe the court has no business intervening in the redistricting process at all, as the authority to draw voting maps rests not with the judiciary, but with state legislatures.

<https://www.washingtonexaminer.com/two-supreme-court-gerrymandering-cases-that-could-reshape-our-elections>

STATES

Arkansas: Voter ID Law at Polls Faces First Legal Test

A 7-month-old law that requires Arkansas voters to show a government-endorsed photo identification to ensure that their ballot is counted goes before a judge today for the first test of its legality. Longtime Pulaski County poll worker Barry Haas, represented by Little Rock attorney Jeff Priebe, has asked Pulaski County

Circuit Judge Alice Gray to block continued enforcement of Act 633 of 2017 until a trial that would determine whether the provision is legal. Act 633 was passed 73-12 by the House of Representatives and 25-8 in the Senate, and Gov. Asa Hutchinson signed the measure into law last March. It went into effect on Aug. 1. The law changed the voter registration process set forth in constitutional Amendment 51 to require voters to prove they are registered before their vote can be counted. Supporters say identification laws are necessary to strengthen election security and reduce fraud. Critics, like Haas, say those laws add unnecessary requirements that mostly keep minority, poor and elderly residents from voting. In his response to the lawsuit, Secretary of State Mark Martin asks the judge to throw out the petition, particularly because of the timing of the litigation.

<http://m.arkansasonline.com/news/2018/mar/12/voter-id-law-at-polls-faces-1st-legal-t/#.WqxyEnwYKBU.twitter>

Michigan: House Approves List of Alternative Voter IDs

Michigan would require voters who do not have a driver's license or state identification to present one of a narrow list of alternatives to cast a ballot under a bill passed by the state House Thursday. Legislators in the lower chamber voted 62-44 Thursday on a list of permitted alternatives including other state IDs, a U.S. passport, a military photo ID or student ID. The voter ID bill sponsor, Rep. Aaron Miller, said the proposal was an effort to put into law what is required. Miller said he has heard claims of lax practices from cities and counties, such as allowing residents to change their names during registration.

<https://www.detroitnews.com/story/news/local/michigan/2018/03/15/michigan-approves-alternative-voter/32979213/>

North Dakota: With Election Nearing, State Asks for Quick Review of Voter ID Case

The state of North Dakota has asked a federal judge to speed up his review in the ongoing battle over its voter identification laws as a statewide election draws closer. Judge District Court Daniel Hovland in 2016 ordered the state to supply affidavits to voters who couldn't provide an ID at the polls. State lawmakers

passed a new law last year that supporters said addressed the lawsuit, and the state later asked the judge to lift the order requiring it to provide a "fail-safe" option. The new law allows voters without an ID to cast a ballot that's set aside until they can produce one. An ID that's out of date can be supplemented with documents like a current utility bill or bank statement. North Dakota is the only state without voter registration, which the state has argued in court filings makes it "incompatible" with the use of voter affidavits. It warned of "thousands of unverifiable votes" being cast, which an attorney for the tribal members called "absurd."

<https://www.westfargopioneer.com/news/government-and-politics/4418064-election-nearing-state-nd-asks-quick-review-voter-id-case>

Pennsylvania Governor Candidate Vows to Purge Illegal Voters

A Republican gubernatorial candidate has promised to crack down on noncitizen voting in the Keystone State, a pledge he indicated was even more important in light of Tuesday's photo finish in a special election for a congressional seat near Pittsburgh. Scott Wagner, a businessman and state senator from York County, vowed to order the Pennsylvania Department of State to audit its voter registration records and immediately remove any noncitizens from the rolls. "While I believe the reports of noncitizen voting are of the utmost concern and should be addressed immediately by the Department of State, their recent handling of the situation does not suggest that will happen," he said in the statement. "While Governor Wolf may be content to continue to let fraud occur in our elections, I will not be."

<https://www.lifefzette.com/polizette/pennsylvania-governor-candidate-vows-to-purge-illegal-voters/>

Pennsylvania: Noncitizen Voters Not a 'Glitch,' Philly Official Says

Al Schmidt bristles at the description, often attributed to him, of noncitizen voters in Pennsylvania as a "glitch." Schmidt, a Philadelphia city commissioner who has been sounding the alarm since 2012 about noncitizens on the voting rolls, said the word, misattributed to him, would be accurate if ineligible voters managed to elude safeguards in the motor-voter law. Schmidt wrote a report in 2012 warning that

noncitizens were finding their way onto the voting rolls—and, in some cases, casting ballots. Usually, elections officials would find this out only when a noncitizen came forward to ask that his or her name be removed from the rolls. The problem extends far beyond Philadelphia. Schmidt testified before a state legislative committee last year that the Pennsylvania Department of State had cross-checked registered voters against state driver's license records and found about 100,000 names of registered voters who had green cards when they obtained their driver's licenses.

Texas: Election Fraud Investigation Expands with Ballot Requests from Dead Voters

New questions about dead people requesting ballots for the March Primary highlight an expanded investigation of Dallas County voter fraud that started with May municipal elections. Dallas County Election Supervisor Toni Pippins-Poole said Tuesday that nearly 40 mail-in ballots completed and returned for counting were rejected from final tabulations. Many had signatures that did not match signatures on original voter registration applications. "All of them will be scrutinized by the DA's office," Pippins-Poole said. New concerns about possible irregularities began before the March primary when the election office received boxes filled with applications that were supposedly completed by individuals with assistance from someone else.

<https://www.nbcdfw.com/news/local/Election-Fraud-Investigation-Expands-With-Ballot-Requests-From-Dead-Voters-476727843.html>

Texas: Mail Ballot Voter Fraud Caught on Video

A classic example of illegal mail ballot harvesting was just caught on video. The video shows a campaign worker for State Rep. Harold Dutton (D-Houston) harvesting a voter's mail ballot in last week's Democrat primary.

<https://empowertexans.com/quicktakes/mail-ballot-voter-fraud-caught-on-video/>

REDISTRICTING

Pennsylvania: Trump: Redistricting 'Very Unfair' to Republicans

Fate of new Pa. Congressional map now in hands of judges—this time federal judges. A request to stop Pennsylvania elections officials from using a map of the state's congressional districts produced by the state Supreme Court last month was in the hands of a three-judge federal panel Friday, at the same time a similar effort was pending before the U.S. Supreme Court. Lawyers for the plaintiffs, eight Republican congressmen and two senior GOP state senators, argued that the majority Democrats on the state Supreme Court overstepped their authority as they declared a 2011 map an unconstitutional gerrymander and imposed their own district boundaries.

<http://www.timesherald.com/20180311/fate-of-new-pa-congressional-map-now-in-hands-of-judges>

North Carolina: Battle Over District Map Continues

Throughout the first few months of 2018, the North Carolina congressional map drawn by Republicans has been under siege. A trial court demanded that the lines be redrawn in a matter of weeks, and Democrats across the state denounced the boundaries as the tool used by Republicans to "rig the system." Following much deliberation, the Congressional Districts will, in fact, remain the same for the next series of elections, as the Supreme Court ruled in favor of the North Carolina Republicans. Though the conflict has reached a boiling point recently, the gerrymandering saga initially began in 2016 when a court struck down a separate version of the congressional map, claiming that it was being racially gerrymandered. And while the Supreme Court ruled in favor of Republicans recently, the issue is not subsiding anytime soon, as the Court only placed a temporary hold on the trial court's order.

<http://wakeforestreview.com/battle-over-north-carolina-district-map-continues/>