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ACRU Election Integrity Bulletin

LEAD

Florida: Police Use Saliva to Arrest Casselberry Man on Voter-Fraud Charges

State and local investigators said they used fingerprints and DNA from saliva found on five mail-in ballots to track down a Casselberry man and charge him with voter fraud. Bret Warren, 36, was arrested and booked into the Seminole County Jail on several other charges, including possession of oxycodone. “It’s really an interesting case in how we were able to find him,” said Evelyn Estevez, a public information officer for the Altamonte Springs Police Department. In October 2016, days before the general election, several residents of the Spring Valley neighborhood in Altamonte Springs reported to the Seminole County Supervisor of Elections Office that they had not received their absentee ballots. Investigators with the Altamonte Springs Police Department, the Florida Department of Law Enforcement and the Seminole County Sheriff’s Office lifted DNA evidence from the portion of the envelopes that are sealed with saliva, according to a police report. Investigators also were able to match the fingerprints on the envelopes with Warren’s fingerprints in a federal registry, police said. An FDLE laboratory report indicated that the DNA on the envelopes matched Warren’s, according to the police report.

<http://www.orlandosentinel.com/news/breaking-news/os-seminole-county-voter-fraud-saliva-20180503-story.html>

FEDERAL

The Hill: Trump Meets with Cabinet Officials on Election Security

President Trump met with members of his administration, including leaders of the FBI and Department of Homeland Security, on Thursday to discuss election security, the White House said Friday. The meeting comes amid widespread concerns over the possibility of foreign interference in future elections, including this year’s midterms, following Russia’s hacking and disinformation effort against the 2016 vote. The Russian effort included the targeting of digital state election systems. Trump met Thursday with Attorney General Jeff Sessions, Homeland Security Secretary Kirstjen Nielsen, Director of National Intelligence Dan Coats and FBI Director Christopher Wray to discuss election security, “including enhanced protections against malign foreign influence,” the White House said in a statement early Friday. The Department of Homeland Security has been working to provide sensitive threat information and vulnerability assessments to states that request them, as part of a broader effort to protect election infrastructure going forward. Congress sent \$380 million to states to upgrade and secure their voting technology as part of a massive spending package approved in March. Nielsen and others have advocated for states to replace paperless voting machines with those that produce a paper backup to ensure confidence in the vote.

<http://thehill.com/policy/cybersecurity/386202-trump-meets-with-cabinet-officials-on-securing-elections-against-malign>

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National Review: Texas Wins Dogged Fight for Voter ID

Last week, the Fifth Circuit Court of Appeals gave a big boost to election-integrity efforts in Texas and throughout the nation. In a 2-1 opinion authored by Judge Edith Jones, the court upheld Texas's revised voter-ID law, SB 5, against claims of racial discrimination. The ruling was the latest development in a years-long struggle by Texas lawmakers. The battle began with SB 14, a 2011 law that was challenged for allegedly having a discriminatory impact on African-American and Latino voters. There was no evidence to support that claim. In fact, one of us (von Spakovsky) published a study showing that turnout in state elections went up after the law went into effect. Judge Jones has delivered a victory not only for the integrity of the ballot box, but for the rule of law itself.

<https://www.nationalreview.com/2018/05/texas-wins-fight-voter-id/>

Connecticut OKs Measure to Join Effort to Bypass Electoral College

The Connecticut Senate approved a bill 21-14 to give the state's electoral votes to the presidential candidate who wins the popular vote, *The Hill* reported on Sunday. If Democratic Gov. Dannel Malloy signs the legislation, as expected, Connecticut would become the eleventh state, plus the District of Columbia, to adopt the National Popular Vote Interstate Compact, and the first since the 2016 election. The measure already passed the state's House of Representatives 73-71. Under the compact, states require electoral college voters to cast ballots for the national popular vote winner, according to *The Guardian*. The compact, which currently includes states with a total of 172 electoral votes, would in theory take effect once it includes states representing a total of at least 270 electoral votes, which is the number needed to win the presidency.

<https://www.newsmax.com/politics/connecticut-electoral-college-national-popular-vote-interstate-compact/2018/05/06/id/858688/>

National Review: Keep the Electoral College, Because States Matter

Donald Trump unexpectedly joined his voice to the myriad of Democrats calling for the abolition of the

Electoral College. In his freewheeling interview on Fox & Friends, Trump told his hosts: "I would rather have a popular election, but it's a totally different campaign. If you're a runner, you're practicing for the hundred-yard dash as opposed to the mile... . To me, it's much easier to win the popular vote." That statement came as a surprise to many, given that it was the Electoral College that gave him a 304-227 electoral-vote victory over his Democratic rival, Hillary Clinton, in the 2016 presidential election, even though Clinton had won the popular vote by almost 3 million. Now that Trump has come out against the College, perhaps it is possible to finally have a discussion of the College's merits that doesn't immediately devolve into political gamesmanship. Does the 230-year-old institution for electing presidents still have a place in modern America? The question is gaining in importance as more states consider joining the National Popular Vote Interstate Compact to impose a popular vote on presidential elections—a state-based workaround that does not require amending the Constitution.

<https://www.nationalreview.com/2018/05/electoral-college-important-states-have-unique-political-interests/>

STATES

Arkansas: State Supreme Court Says Voter ID Law Can Be Enforced

Arkansas' highest court on Wednesday said the state can enforce a voter ID law in the May 22 primary election despite a judge declaring the measure unconstitutional. By a vote of 6-1 the Supreme Court put on hold a Pulaski County judge's decision blocking the law's enforcement. Early voting for the primary begins Monday. The state Supreme Court did not elaborate on its reasons for the decision in its one-page order. The revived voter ID law requires voters to show photo identification before casting a ballot. Unlike the previous measure, the new law allows voters to cast provisional ballots if they sign a sworn statement confirming their identities. "I am very pleased that the Arkansas Supreme Court agreed with the arguments we made on behalf of the State Board of Election Commissioners that the requirement that a voter show photographic identification or sign a statement affirming his or her identity as a registered

voter is not burdensome and helps ensure free and fair elections,” Attorney General Leslie Rutledge said in a statement. “The stay issued this afternoon provides needed clarity for Arkansas voters and election officials.”

http://www.tampabay.com/arkansas-supreme-court-says-state-can-enforce-voter-id-law-ap_national656a45047efc4e9d998a61de714ad892

Florida: Investigators: Man Stole, Forged Absentee Ballots in 2016

A 36-year-old man has been arrested in connection to a 2016 voter fraud case in which police say mail ballots were stolen and forged. According to an Altamonte Springs Police report, several homeowners on Spring Valley Lane in October 2016 reported to authorities that their absentee ballots had been stolen from their mailboxes. The Seminole County Supervisor of Elections Office said it had received completed ballots from the residents but urged them to fill out provisional ballots, police said. Meanwhile, the elections office submitted the original ballots suspected of being fraudulently filled out to the FBI for investigation. Envelopes that contained the original absentee ballots were turned over to the Florida Department of Law Enforcement for DNA analysis, and the ballots were also analyzed for fingerprints.

<http://www.mynews13.com/fl/orlando/news/2018/05/03/investigators--florida-man-stole--forged-absentee-ballots-in-2016>

Florida: He Wanted to Be Tampa’s Mayor; Now He Faces a Voter Fraud Investigation

Michael Hazard wanted to be Tampa’s mayor. Now, he faces possible charges of illegal voting. Hazard’s long-shot run for mayor of the state’s third-largest city recently came to an end when county election officials ruled he is unqualified to vote let alone seek office. “No one told me I was ineligible,” Hazard said Monday. He said he decided to register when he learned of efforts by then-Gov. Charlie Crist to streamline the restoration of voting rights for felons. Crist’s successor Rick Scott reversed those efforts. “It was according to Crist’s statements,” said Hazard, a Democrat, speaking of Crist’s 2007-11 term as governor. “With the understanding that Crist said we could register to vote.” Hazard, 49, a convicted felon,

said he never applied to have his voting rights restored in Florida, as state law requires in order for a convicted felon to cast a ballot. State records confirm he did not apply.

http://www.tampabay.com/news/politics/local/He-wanted-to-be-Tampa-s-mayor-Now-he-faces-a-voter-fraud-investigation_167809942

Iowa: State Sets New Voter ID Requirements

Beginning in 2018, the new State of Iowa Voter ID law will be taking effect. The primary election is June 5, which is the first election in Plymouth County this calendar year and the first election in which the new voter ID requirements will be in effect. Voters are asked to remember that all absentee ballot request forms require either a valid Iowa Driver’s License number, Non-operator ID number or a 4-digit PIN number found on their new Voter Identification card in order for an absentee ballot to be issued to a voter. This is for any absentee ballot request form regardless if a voter is having a ballot mailed to them or voting the absentee ballot in person at the courthouse prior to the election.

<http://www.lemarssentinel.com/story/2508890.html>

Michigan: Gov. Snyder Signs Legislation to Improve Election Processes, Reduce Voter Fraud

Michigan elections will be more accountable to voters under legislation signed Thursday by Gov. Rick Snyder. “Fair and accurate elections are the cornerstone of our democracy and this legislation will ensure Michigan maintains the most up-to-date voting records,” Snyder said. House Bill 5646, sponsored by state Rep. Julie Calley, requires the Secretary of State to check the statewide qualified voter file against the U.S. Social Security Administration’s death master file on a monthly basis. The bill also requires the Secretary to participate in a multi-state crosscheck system to potentially identify voters registered in more than one state. The bill is now PA 126 of 2018.

<http://www.uppermichiganssource.com/content/news/Gov-Snyder-signs-legislation-to-improve-election-processes-reduce-voter-fraud-481645571.html>

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Wisconsin: Two Waterford Residents Charged with Voter Fraud

Two Waterford residents have been charged with voter fraud in the April 4, 2017, election. James K. Denig, 56, and Kay E. Denig, 60, both of the 31000 block of Red Oak Lane, Waterford, are each charged with one count of election fraud for registering in more than one place and one count of election fraud for voting more than one time, all felonies. Incidences of suspected voter fraud of this type are not common. According to the criminal complaint: Both James and Kay Denig admitted to Racine Sheriff's Office investigators to voting twice in the April 4, 2017, election. The deputy clerk/treasurer of the Village of Rochester provided the details of the incident to the Sheriff's Office, including poll book pages from both Burlington and Rochester polling locations that each contained the signatures of James and Kay Denig. Also provided were Burlington voter registration forms completed by both Denigs.

http://journaltimes.com/news/local/crime-and-courts/two-waterford-residents-charged-with-voter-fraud/article_5fc3df7a-7b51-522c-b652-d232588acc46.html

REDISTRICTING

Vox: The Ohio Gerrymandering Reform Going for a Statewide Vote This Week, Explained

A strange thing will happen during Tuesday's Ohio primary election: One of the most pro-Republican-gerrymandered states in the country will put an actual bipartisan deal to reform gerrymandering in front of its voters. Issue 1, or the Congressional Redistricting Procedures Amendment, will be up for a statewide vote, and its prospects look good. Three months ago, it got overwhelming support in the state House and passed the state Senate unanimously. Both party establishments are on board with the reform, as are business and labor groups in the state. And activist groups are generally either supportive or neutral. "There's no organized opposition that we know of," says Keary McCarthy, who's working on the bipartisan campaign in favor of the measure. So why would the Ohio Republican Party—which has controlled the governorship, dominates the state legislature, and drew the maps of its dreams in 2010—sign on to a deal that could limit its power to gerrymander in the future? The answer lies in the plan itself. Under it, the legislature would have to try to come up with a new map supported by a big bipartisan majority. If they fail, however, a one-party map could still pass—but it would now expire after four years, rather than the current 10.

<https://www.vox.com/2018/5/7/17302388/ohio-issue-1-gerrymandering-redistricting>