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# ACRU Election Integrity Bulletin

## LEAD

### Commerce Department Hopes to Derail Lawsuits on Census Citizenship Question

The decision in March by Commerce Secretary Wilbur Ross to add a controversial citizenship question to the 2020 census has provoked multiple lawsuits, one of which got a key boost this week when a New York judge allowed discovery to proceed. The Trump administration has argued that restoring a question about citizenship last used in the 1950 census is needed to combat voter fraud, noting that it has routinely appeared as part of the annual American Community Survey that goes out to only a portion of the country.

<https://www.govexec.com/oversight/2018/07/commerce-hopes-derail-lawsuits-census-citizenship-question/149517/>

## FEDERAL

### Washington Free Beacon: Soros Director Moves to Rockefeller Entity to Push for Automatic Voter Registration

Julie Fernandes, who served as the deputy assistant attorney general in the civil rights division of President Barack Obama's Justice Department and then as a director of Voting Rights and Democracy at Soros's Open Society Foundations, will now serve as the associate director of the institutional accountability and individual liberty at the Rockefeller Family Fund, a New York-based nonprofit founded by the Rockefeller family. Fernandes's move is another signal that Democrats are moving to undermine voter ID laws

following Donald Trump's victory in 2016. It also lists its objective as "expanding participation in the nation's democracy by enacting legislation to provide automatic and permanent registration to all voters."

<http://freebeacon.com/politics/soros-director-moves-rockefeller-entity-push-automatic-voter-registration/>

### The Daily Signal: Instances of Voter Fraud Continue to Mount, Further Compromising Our Elections

Recent voter fraud cases show the growing importance of upholding election integrity. These cases demonstrate the increasingly serious problem of individuals ignoring voter laws and cheating the system—and the need for states to take seriously their duty to maintain the integrity of the electoral process. Contrary to the left's claims that election fraud is a non-issue, there is substantial evidence that voter fraud not only is real, but affects the outcome of elections throughout the country. Indeed, The Heritage Foundation's voter fraud database details 1,132 proven instances of fraud in 47 states and is regularly updated.

<https://www.dailysignal.com/2018/07/03/instances-of-voter-fraud-continue-to-mount-further-compromising-our-elections/>

## STATES

### Arizona: Lawsuit Challenges State's Ban on Delivering Someone Else's Ballot to Polls

A new lawsuit seeks to block Arizona from enforcing its ban on "ballot harvesting" for the upcoming election, claiming the state has no legal authority to regulate who can and cannot deliver someone else's mail. In the lawsuit filed in federal court here Tuesday, attorney

Spencer Scharff argues that only Congress has the right to regulate the U.S. mail. He said that once someone puts a ballot into an envelope that has prepaid postage, it becomes “mail.” Scharff said that means a 2016 statute that makes it a felony to collect early ballots and deliver them to polling places is pre-empted by federal law. He is asking U.S. District Judge Douglas Rayes to put the law on “hold” until there can be a full hearing on the issue.

<https://bit.ly/2KWSOnK>

## Delaware: Newark, Where Some People Can Vote More Than Once

One person, one vote. For a century, it has been a refrain recited by civil rights advocates, including former Chief Justice of the Supreme Court, Earl Warren. It is echoing in the municipal building of Delaware’s third largest city. Newark, home of the University of Delaware, employs a peculiar voting system when holding a rare ballot referendum. Any voter who owns a house within the city limits can vote just once. But if that voter transfers the home to a newly-created limited liability company, they then can vote twice—once as a regular voter and again as a representative of the LLC. What’s more is that a property manager in control of 31 LLCs, which own 31 parcels of land in the city, can vote 31 times. A report of that exact circumstance happening during Newark’s June 19 referendum has sparked a backlash during the past week from a handful of city residents.

<https://www.delawareonline.com/story/news/2018/06/29/newark-delaware-where-some-people-can-vote-more-than-once/735314002/>

## Iowa: Arguments Presented in Mail Ballot Voter ID Lawsuit

Petitioners challenging Iowa’s voter ID law were in Polk County District court, urging a district judge to temporarily halt enforcement of parts of the law. Ames resident Taylor Blair and the League of United Latin American Citizens of Iowa are suing Iowa Secretary of State Paul Pate over the law. The requirements in the law to show identification at the polls don’t go into effect until next year. But on Friday, lawyers for the plaintiffs argued for a temporary injunction to stop the parts of the law that are already in effect dealing with absentee ballots. Under the law, voters must present identification numbers when they request an absentee ballot; the window for absentee balloting is shorter; and

election officials can throw out absentee ballots if they judge that signatures don’t match.

<http://iowapublicradio.org/post/arguments-presented-voter-id-lawsuit#stream/0>

## Massachusetts: Court Upholds 20-Day Cutoff for Voter Registration

Requiring people to register to vote 20 days before an election doesn’t violate their constitutional rights, the state’s top court ruled Monday, dealing a blow to good government groups that have argued the cutoff disenfranchises voters. The ruling by the Supreme Judicial Court overturns a decision by a lower court judge that the cutoff violates the state Constitution. A Suffolk Superior Court judge ruled the deadline unconstitutional, saying it prevents thousands of potential voters from casting ballots. Secretary of State Bill Galvin, who oversees the state’s elections, appealed the ruling, arguing the 20-day rule does not impose a burden on voting rights. In siding with Galvin, the Supreme Judicial Court pointed out that the state has increasingly made it easier for people to register to vote by mail, online or in person. “The record contains ample evidence that the commonwealth has taken great steps to ensure that the process is simple and accessible,” the court noted.

[http://www.eagletribune.com/news/merrimack\\_valley/court-upholds--day-cutoff-for-voter-registration/article\\_f519a261-15ef-5ce1-88b3-1ebfd8ed25ce.html](http://www.eagletribune.com/news/merrimack_valley/court-upholds--day-cutoff-for-voter-registration/article_f519a261-15ef-5ce1-88b3-1ebfd8ed25ce.html)

## New York: Ghent Man Ordered to Pay Fine in Voter Fraud

A Ghent man accused of voter fraud pleaded guilty to a lesser charge of disorderly conduct in Ghent Town Court on June 25. Bert S. Goldfinger, 66, was charged with first-degree false instrument for filing and illegal voting, both are class E felonies. He pleaded guilty to a lesser charge of disorderly conduct, a violation; in exchange for a guilty plea June 25. Goldfinger admitted to intentionally and illegally voting in the November 2013 general election in New York City and in Columbia County, according to court documents. After turning himself in on June 25, Goldfinger was arrested, arraigned, pleaded guilty, and sentenced in the Ghent Town Court, said Columbia County District Attorney Paul Czajka.

<https://www.hudsonvalley360.com/article/ghent-man-ordered-pay-fine-voter-fraud-case>

*(more)*

## New York: Real Estate Consultant Pleads Guilty to Voter Fraud Scheme

A co-conspirator of a Monsey developer has admitted his role in a voter fraud scheme in a 2014 Sullivan County village election. Volvy Smilowitz, also known as Zev Smilowitz, 29, of Monroe, pleaded guilty June 18 in White Plains federal court to one count of conspiracy to corrupt the Bloomingburg village electoral process by falsely registering numerous voters who don't live in the community. Smilowitz, a real estate consultant, was indicted in 2016 along with two real estate developers, Kenneth Nakdimen of Monsey and Shalom Lamm of Bloomingburg, on charges of bribing people to unlawfully register and vote. "In the biggest federal voter fraud case in the modern era, Volvy Smilowitz admitted to taking part in a cynical scheme to rig an election in Bloomingburg," U.S. Attorney Geoffrey Berman said. "There is no place in our democracy for the criminal conduct admitted to by the defendant, which included falsely registering dozens of voters. Those who conspire to corrupt the electoral process must and will be held accountable."

<https://www.lohud.com/story/news/local/2018/07/04/real-estate-consultant-pleads-guilty-voter-fraud-scheme/757727002/>

## North Carolina: Voter Identification a Worthy Safeguard for Election Process

Requiring identification at the polls proactively safeguards our election process and ensures the integrity of the results. That's why I, along with 73 of my N.C. House of Representatives colleagues, voted for House Bill 1092. The bill will place a measure on the ballot this November that, if passed by the people, would amend our state constitution, requiring voter identification. This N.C. constitutional amendment would "require voters to present photo identification before voting in person." How hard is it to get a picture ID in North Carolina? All that is needed is a birth certificate and Social Security card. Every U.S. citizen should have both documents. Judicial activism is a problem throughout the country, not just in North Carolina.

<http://www.blueridgenow.com/opinion/20180703/voter-identification-worthy-safeguard-for-election-process>

## Oregon: Attorney General Considers Investigation Into Election Fraud

Oregon's top attorney is considering whether to investigate if a crime was committed during the process of putting one of the more controversial initiatives on the November ballot. Despite calls from some Democratic lawmakers to halt the measure verification process while an investigation is underway, the secretary of state's office is moving forward with the certification process. The complaint and investigation could, however, jeopardize the measure's chance of making it to the ballot.

<https://www.opb.org/news/article/election-fraud-tax-initiative-oregon-investigation/>

## REDISTRICTING

### Michigan: Challenge to Redistricting Ballot Proposal to Be Heard by Supreme Court

The Michigan Supreme Court will hear oral arguments later this month for a challenge to a ballot proposal aiming to reshape how Michigan's political districts are created. If passed, the proposal would amend Michigan's state Constitution, and opponents argue it would do too much to change it to pass legal muster. Citizens Protecting Michigan's Constitution claim the group didn't list all of the sections of the state constitution that would be abrogated by the plan, and also argued Voters Not Politicians' initiative is a "massive revision" of the constitution, not an amendment.

[https://www.mlive.com/news/index.ssf/2018/07/challenge\\_to\\_redistricting\\_bal.html](https://www.mlive.com/news/index.ssf/2018/07/challenge_to_redistricting_bal.html)