



September 18, 2018

# ACRU Election Integrity Bulletin

## LEAD STORY

### ACRU Wins ‘Comprehensive’ Settlement with Starr County, Texas

The American Civil Rights Union (ACRU) entered a groundbreaking and paradigm establishing settlement agreement outlining the most comprehensive strategy to date under the National Voter Registration Act of 1993 aimed at improving the quality of voter registration records, practices, and training for Starr County, Texas (*ACRU v. Rodriguez et. al. 7:16-cv-00103*). “This well-crafted agreement makes great strides to preserve our most fundamental civil right and inspire new confidence in local elections,” ACRU President Susan A. Carleson said. “The settlement agreement calls upon the ACRU, Starr County, and the State of Texas to collaborate in the years ahead as we reform and establish best practices for maintaining the local voter file. The ACRU hopes that other counties potentially struggling with recordkeeping challenges see these measures as low cost easily-replicated solutions.” <https://www.theacru.org/acru-wins-comprehensive-settlement-in-starr-county-voter-roll-suit/>

secure. I don’t want my money stolen and then folks scratching their heads, saying, Well, if we had taken this simple action, we could have prevented that robbery. So, nothing is more important to our democratic republic than the integrity of our election system.” <https://onenewsnow.com/politics-govt/2018/09/14/voter-id-a-step-all-americans-should-be-willing-to-take-ken-blackwell>

### ***The Daily Signal: Trump’s New Executive Order Is a Positive Step for Securing Elections***

President Donald Trump’s new executive order allowing the sanctioning of foreign individuals attempting to influence American elections is a necessary step in the right direction, but more can be done. The executive order—which establishes an interagency process for determining if foreign influence has occurred and for sanctioning those responsible—is inherently reactionary. Those who dismiss this executive order because it is not a “silver bullet” risk misunderstanding the challenge and the nation’s needs, as well as the diffuse nature of our country’s unique, decentralized election administration system. <https://www.dailysignal.com/2018/09/14/trumps-new-executive-order-is-a-positive-step-for-securing-elections/>

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## FEDERAL

### Ken Blackwell: Voter ID a Step All Americans Should be Willing to Take

Some have called the concept of voter ID a “racist” idea—but a former state official in Ohio considers it just part of an American’s civic responsibility to protect the election process. Former Ohio Secretary of State Ken Blackwell said, “You don’t always want to be responding to bad deeds,” he said. “[For example], I want my bank to be

**STATES****Arizona: Appeals Court Rejects Democrats' Challenge to State's Voting Laws**

A divided federal appeals court rejected Democratic challenges to two Arizona voting laws Wednesday, upholding a lower court that said the rules put a minimal burden on voters and there was no evidence they were aimed at minority voters. A three-judge panel of the 9<sup>th</sup> U.S. Circuit Court of Appeals said the Democratic National Committee could not produce "a single voter" to testify that it was harder for them to vote because of the state's "ballot-harvesting" law, which limits who can turn in another person's ballot. The court also said that the state's rule that eliminates ballots cast outside a person's assigned precinct does not impose a burden on voters, and that it is outweighed by the state's need to conduct orderly elections. <https://cronkitenews.azpbs.org/2018/09/12/appeals-court-rejects-democrats-challenge-to-arizonas-voting-laws/>

**Massachusetts: Secretary of State Seizing Control of Lowell, Lawrence Election Offices**

Secretary of State William Galvin will take direct control of the election offices in Lowell and Lawrence to run any upcoming recounts and oversee the administration of the November general election. In a Monday afternoon statement announcing the decision, Galvin's office cited "several administrative errors in the processing of ballots and the tallying of state primary results" as factors in deciding to exercise his authority under state law to take direct control in Lowell. <https://bit.ly/2OuBo0o>

**Maine: Lawmakers Uphold Governor LePage's Veto of Ranked-Choice Voting Bill**

Secretary of State Matt Dunlap says the bill was needed to make sure Maine can pay its bills on time for the November election. Some of the costs include additional ballots and leasing of software. While Republican leader Ken Fredette says this is a matter that doesn't need to be addressed now, Democratic Speaker of the House Sara Gideon says there will be penalties for not overriding the veto. <https://bit.ly/2PLuVyd>

**New Mexico: High Court Blocks Plan to Restore Straight-Party Voting**

The state Supreme Court on Wednesday unanimously ruled in favor of a petition by the state Republican and Libertarian parties and others arguing that Secretary of State Maggie Toulouse Oliver does not have the power to put straight-party voting back on ballots without legislative approval.

<https://bit.ly/2D3ESFN>

**North Carolina: Non-Citizens Face Jail for Voting**

More than a dozen foreign nationals face prison time and heavy fines for voting in North Carolina, according to a new federal task force. The federal indictments may be the tip of the iceberg. Federal agents have subpoenaed more than 20 million North Carolina voter records covering eight years as part of a deepening inquiry into voter fraud in the Tar Heel State.

<https://immigrationreform.com/2018/09/11/non-citizens-face-jail-for-voting-in-north-carolina/>

**Texas: Federal Judge Upholds Partisan Statewide Judicial Elections System**

A federal judge has rejected a race-based challenge to the way Texans fill seats on the state's highest courts. U.S. District Judge Nelva Gonzales Ramos of Corpus Christi handed the state of Texas a win Wednesday, writing that its current method for electing judges to the Texas Supreme Court and the Court of Criminal Appeals does not violate federal safeguards for voters of color.

[https://www.texastribune.org/2018/09/12/statewide-judicial-elections-federal-judge-upholds-partisan/?utm\\_campaign=trib-social-buttons&utm\\_source=twitter&utm\\_medium=social](https://www.texastribune.org/2018/09/12/statewide-judicial-elections-federal-judge-upholds-partisan/?utm_campaign=trib-social-buttons&utm_source=twitter&utm_medium=social)

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## Texas: Woman Who Took Cousin's Identity to Be Deported for Voting

A Mexican national whose attorney said she used a cousin's identity to live in the U.S. for decades and held a job assessing students in Houston schools is facing deportation after pleading guilty to illegally voting in the 2016 election. [https://www.usnews.com/news/best-states/texas/articles/2018-09-13/woman-who-took-cousins-identity-to-be-deported-for-voting?src=usn\\_tw](https://www.usnews.com/news/best-states/texas/articles/2018-09-13/woman-who-took-cousins-identity-to-be-deported-for-voting?src=usn_tw)

## Texas: Analysis of Voter Rolls Indicates Duplicate Registrations and Double Voting

A review of the presidential votes cast in Texas in 2008, 2012, and 2016 by the data analysis firm Votistics found a disturbing number of duplicate registrations and multiple votes cast in the 2008, 2012, and 2016 general elections. Data provided by the Texas secretary of state indicate that 104,800 people appear to be registered more than once. [https://www.americanthinker.com/articles/2018/09/houston\\_we\\_have\\_a\\_problem.html#ixzz5RIEwNMp5](https://www.americanthinker.com/articles/2018/09/houston_we_have_a_problem.html#ixzz5RIEwNMp5)

## Virginia: Report Finds Problems with State Elections System

A Virginia legislative watchdog agency says the state's elections systems have a number of problems, including an unreliable IT system and a leadership structure susceptible to undue political influence. The Joint Legislative Audit and Review Commission issued a report Monday saying it found several areas of possible improvement. <https://wtop.com/local-politics-elections-news/2018/09/reports-finds-problems-with-virginia-elections-system/>

## REDISTRICTING

## Michigan: Democratic Group Gives \$250K to Redistricting Initiative

The National Democratic Redistricting Committee led by former U.S. Attorney General Eric Holder has announced a \$250,000 donation to bolster a Michigan ballot proposal that would empower a commission to draw congressional and legislative maps instead of the Legislature. The money will aid Voters Not Politicians, whose organizers successfully qualified the anti-gerrymandering constitutional amendment for the November ballot. <https://detroit.cbslocal.com/2018/09/13/democratic-group-gives-250k-to-redistricting-initiative/>

## Missouri: Clean Missouri Politics Amendment Swept from November Ballot

An initiative petition meant to clean up ethics in Missouri government and overhaul redistricting in the state was struck from the November ballot by a Cole County Circuit judge Friday, in part, for being too broad. Cole County Circuit Court Judge Daniel Green ruled that Amendment 1, known as Clean Missouri, dealt with "two different and extremely broad purposes," which violate the Missouri Constitution. <https://bit.ly/2D2zuTn>

## Virginia: GOP Rebuffs Governor's Claim That House Can't Fix District Lines

Virginia House Speaker Kirk Cox was "surprised" and "disappointed" by a letter from Democratic Gov. Ralph Northam that suggested the House of Delegates would be unable to redraw House district lines. Northam wrote in his letter that Cox, R-Colonial Heights, must grant authority to three judges from the U.S. District Court for the Eastern District of Virginia to draw the new lines, because the House was at an impasse. <https://bit.ly/2OpIdjJ>

## Politico: GOP Redistricting Group Names Executive Director

Adam Kincaid, who helped the Republican party coordinate redistricting efforts after 2010, will serve as the executive director of the National Republican Redistricting Trust (NRTTA), the GOP's data and legal hub for the next round of redistricting. The NRRT launched last year with plans to raise \$35 million by 2020. Kincaid stressed that the NRRT's role will be to gather and disseminate relevant data, fight cases in court and serve as a resource for Republican map-drawers in different states. "We want to be a hub, not a control center," Kincaid said. "We want people to have best practices and data to do their jobs, and not try to control the process." <https://www.politico.com/story/2018/09/11/national-republican-redistricting-trust-executive-director-776565>