



October 15, 2018

# ACRU Election Integrity Bulletin

## LEAD STORY

### North Dakota: U.S. Supreme Court Rules 6-2 in Favor of North Dakota's Voter ID Law

The Supreme Court, responding to an emergency appeal, released a decision on a 6-2 vote that will allow the state to require a residential address on a driver's license or ID card to vote and won't accept a post office box except with supplemental proof of a residential address. In the ruling, the Supreme Court rejected the emergency appeal by attorneys representing a group of Native Americans in the state challenging North Dakota's voter ID law. Two justices, Elena Kagan and Ruth Bader Ginsburg, dissented. Ginsburg, in writing the dissent, said the decision could result in "voter confusion" and an "incentive to remain away from the polls". Ginsburg re-emphasized that the decision could result in "the all too real risk of grand-scale voter confusion."

However, Secretary of State Al Jaeger said in a phone interview Tuesday that he was pleased with the decision. He emphasized that using only a post office box did not establish the residential address of the voter. Thus, he said, it could lead voters to the wrong precinct polling place if they had only a post office box. Jaeger said he and Attorney General Wayne Stenehjem agreed that "Based on evidence we have from the polls, 97 percent to 98 percent of voters have acceptable IDs when they show up," Jaeger said. According to Jaeger, voters whose state-issued ID does not contain their current address do not have to obtain a replacement card. As for those with only a post office box on their license or ID card, including tribal or U.S. Bureau of Indian Affairs identification, Jaeger said they can vote if they provide a residential

address with a current utility bill, bank statement, paycheck or any other document with a current address and date of birth.

<https://bit.ly/2P2SICQ>

## FEDERAL

### Analysis: Midterms Will Weigh Heavy on Post-2020 Redistricting

The redistricting wars, which since 2010 have worked to the advantage of the Republicans, are about to take a potentially significant turn. The midterm elections, along with efforts in states to reduce partisan redistricting, are likely to make the post-2020 battles more competitive. The 2010 midterm elections cost Democrats control of the U.S. House, but they also did substantial damage to the party's strength in the states: Democrats lost hundreds of seats in state legislatures and surrendered their majority of governorships to the Republicans. Next month, four states will have redistricting commissions on their ballots: Colorado, Michigan, Missouri and Utah. Earlier this year, Ohio voters approved a new redistricting system aimed at producing a more bipartisan process.

[https://www.sentinel-source.com/news/national\\_world/analysis-midterms-will-weigh-heavy-on-post--redistricting/article\\_1b5790f1-8369-585d-bf44-cf17ad77142f.html](https://www.sentinel-source.com/news/national_world/analysis-midterms-will-weigh-heavy-on-post--redistricting/article_1b5790f1-8369-585d-bf44-cf17ad77142f.html)

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## Rasmussen Poll: Voters Have More Faith in U.S. Elections These Days

Voters are now more confident than they have been in over six years that U.S. elections are fair to voters. A new Rasmussen Reports national telephone and online survey finds that 51% of Likely U.S. Voters now think American elections are fair to voters, up 10 points from 41% in early 2016 and the highest level of confidence in U.S. elections since a high of 57% last reached just before the 2012 presidential election. Just a third of voters (33%) now believe U.S. elections are unfair to voters, down from findings in the 40s for the past five years.

[http://www.rasmussenreports.com/public\\_content/politics/general\\_politics/october\\_2018/voters\\_have\\_more\\_faith\\_in\\_u\\_s\\_elections\\_these\\_days](http://www.rasmussenreports.com/public_content/politics/general_politics/october_2018/voters_have_more_faith_in_u_s_elections_these_days)

## ICYMI—Federalist: Voter Fraud Is Real. Here's the Proof (2016)

Data suggests millions of voter registrations are fraudulent or invalid. That's enough to tip an election, easily. So now that we know voter fraud is a serious issue, what are some solutions to this problem? States like Michigan have Poll Challenger programs, where observers from both parties may be present at voter check-in tables at precincts. They check each voter's ID against a database of registered voters for that precinct to ensure the person attempting to vote is actually legally qualified to vote in that precinct. If there's a discrepancy, the poll challenger may officially challenge the ballot. Other states should implement similar programs. States should sponsor initiatives to remove dead voters and correct the registrations of people registered in multiple states (make them choose just one state). Since many local jurisdictions are reluctant to clean their voter rolls, federal or state oversight with teeth may be necessary.

<http://thefederalist.com/2016/10/13/voter-fraud-real-heres-proof/>

## Rasmussen Poll: Support for Dumping Electoral College Is Down

Voters are less enthusiastic these days about taking the Electoral College out of the presidential election process. Interestingly, opponents of the Electoral College are less likely to know what it does. The latest Rasmussen Reports national telephone and online survey finds that 46% of Likely U.S. Voters still favor

eliminating the Electoral College so that whoever wins a majority of the popular vote wins a presidential election. Forty-one percent (41%) are opposed, while 13% are undecided.

[http://www.rasmussenreports.com/public\\_content/politics/general\\_politics/october\\_2018/support\\_for\\_dumping\\_electoral\\_college\\_is\\_down](http://www.rasmussenreports.com/public_content/politics/general_politics/october_2018/support_for_dumping_electoral_college_is_down)

## STATES

### Arkansas: State Supreme Court Upholds Revised Voter ID Law

Arkansas' highest court on Thursday upheld a voter ID law that is nearly identical to a restriction struck down by the court four years ago. The 5-2 decision from the Arkansas Supreme Court means the law, which requires voters to show photo identification before casting a ballot, will remain in effect in this year's midterm election. Unlike the measure struck down in 2014, the law approved last year allows voters to cast provisional ballots without a photo ID if they sign a sworn statement confirming their identities.

<http://www.eldoradonews.com/news/2018/oct/12/arkansas-supreme-court-upholds-revised-voter-id/>

### California: DMV Error Added Non-Citizens to Voter Rolls

An error at California's Department of Motor Vehicles caused more than a thousand people, including some who were not U.S. citizens, to be incorrectly registered to vote, state officials said Monday. The DMV admitted that a "processing error" at agency field offices resulted in as many as 1,500 people being added to voter rolls between April 23 and Sept. 25. "This error occurred when DMV technicians processed customer requests at field offices to change voter eligibility responses on driver license applications," the DMV wrote in a letter to California Secretary of State Alex Padilla, according to the San Francisco Chronicle. "Due to the order in which the change was processed, the customer's initial responses were retained instead of the correct and revised responses."

<https://dailycaller.com/2018/10/09/california-dmv-error-voter-registration-noncitizens/>

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## Indiana: Possible Cases of Voter Registration Fraud Pop Up in Hendricks County

As we approach the November mid-term elections there are already possible case of voter registration fraud. In Hendricks County, county clerk Debbie Hoskins said as they've been looking over voter registrations for the midterm elections, they've noticed some "suspicious" looking paperwork on file. Hoskins said they first started seeing odd registrations popping up around July. She said they have turned those registrations to Indiana State Police. ISP Capt. Dave Bursten said that is still an "ongoing investigation" and would not go into detail. Last year, 12 employees of the Voter Registration Project were charged with submitting false voter registration applications stemming from the 2016 elections.

<https://bit.ly/2IYVe1Q>

## Missouri: Attorney General Will Appeal Judge's Ruling Striking Down Part of Missouri Voter ID Law

Missouri Attorney General Josh Hawley's office plans to appeal a court ruling that struck down part of Missouri's voter ID law, his office announced Wednesday. In a statement, Hawley said his office "is preparing to appeal the ruling and will promptly seek a stay pending appeal." Missouri Secretary of State Jay Ashcroft criticized the timing of the ruling in a statement Wednesday morning, saying it's "unduly creating mass confusion."

<https://bit.ly/2Eo9oec>

## North Carolina: On the Ballot: Should the State Constitution Require a Photo ID to Vote?

One of the most hotly debated questions on the Nov. 6 ballot pits concerns about voter participation against worries about ballot security. Backers of the proposed constitutional amendment that would require photo identification for people to vote in future elections say it would prevent fraud and increase trust in the outcome of elections.

<https://www.citizen-times.com/story/news/local/2018/10/14/ballot-should-ncs-constitution-require-photo-id-vote/1589890002/>

## Ohio: Federal Judge Deals Another Blow to Group Challenging Ohio's Voter Roll Purge

A federal judge ruled that notification forms Ohio sends to voters in its process to remove inactive voters from its rolls are compliant with federal law, dealing another blow to a group challenging the state's voter purge process. The groups suing Ohio Secretary of State Jon Husted said all voters the state deleted from its rolls from 1995 through 2016 through a disputed process were actually removed unlawfully because the state's notices for removal didn't comply with the National Voter Registration Act of 1993. Senior U.S. District Judge George Smith disagreed in an opinion, largely ruling against the plaintiffs and saying the forms complied with federal law. He struck down arguments from the plaintiffs that said voters weren't told of the deadlines to respond to the forms and weren't informed of the consequences of failing to respond. The judge's decision comes after a 5-4 U.S. Supreme Court ruling in June that upheld Ohio's voter purging processes. Smith's ruling only focused on the forms the state sent to inactive voters.

[https://www.cleveland.com/court-justice/index.ssf/2018/10/federal\\_judge\\_deals\\_another\\_bl\\_1.html](https://www.cleveland.com/court-justice/index.ssf/2018/10/federal_judge_deals_another_bl_1.html)

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## Oregon: Cautionary Tale of Voter Fraud

Losing your vote this November could be as simple as throwing out the garbage. A Deschutes County woman was the victim of voter fraud and is sharing her story now, so it doesn't happen to anyone else. Sharon Barney-Orlando was out of town during the January special election. So, when her ballot came in the mail, her husband recycled it without a second thought. About a week later, Barney-Orlando received a letter from the Deschutes County Clerk's office. Someone had stolen the ballot, forged her signature—and, in doing so, stolen her vote. Election officials caught the mismatched signatures and didn't count the ballot. Instead, they sent out a notice to confirm whether Barney-Orlando signed it, and it was a fluke, or if someone harmed the integrity of her ballot. "It certainly woke me up to the fact that, if I didn't have that privilege (of voting), that would make me very unhappy," Barney-Orlando said Tuesday. "I guess you don't really think about things that people might be going through your recycling, or your trash, or things of that nature, but apparently they do." Someone who commits and is caught and convicted voter fraud faces a possible fine up to \$125,000 and/or up to five years in prison.

<https://www.ktvz.com/news/cautionary-tale-of-voter-fraud-in-central-oregon-1/805072682>

## Texas: Four Arrested in Voting Fraud Scheme that Targeted Fort Worth Seniors

Four women have been arrested and indicted on 30 felony counts of voter fraud in the 2016 election. The women were paid to harvest mail-in ballots from senior citizens in North Fort Worth, a statement from the Texas attorney general's office claims. The voter fraud ring forged some signatures and lied to obtain others, edited old applications and resubmitted them without the voters' knowledge, according to the office. Many of the voters had to cancel their ballots to vote in person. Each of the women faces felony charges of providing false information on an application for a mail ballot: 16 counts for Leticia Sanchez, 10 for Leticia Sanchez Tepichin, two for Maria Solis and one for Laura Parra. Sanchez also faces one count of illegal voting. "Ballots by mail are

intended to make it easier for Texas seniors to vote," Attorney General Ken Paxton said in a prepared statement. "The unfortunate downside is their extreme vulnerability to fraud."

<https://www.dallasnews.com/news/crime/2018/10/12/4-arrested-voting-fraud-scheme-targeted-fort-worth-seniors-officials-say>

## Texas: Former Border County Employee Accused of Mail Ballot Voter Fraud

Police in South Texas arrested a fired Starr County Democrat precinct worker on multiple voter fraud charges related to the upcoming 2018 midterm election. Starr County District Attorney Omar Escobar, Jr., confirmed to the Monitor that, on Thursday, investigators with his office took into custody Modesta Vela, 60, and charged her with four felony counts of illegal voting, election fraud, and knowingly possessing a ballot or ballot envelope of another person with the intent to defraud, as well as a misdemeanor charge of unlawful assistance of a voter.

<https://www.breitbart.com/border/2018/10/08/former-texas-border-county-employee-accused-of-mail-ballot-voter-fraud/>

## REDISTRICTING

### Pennsylvania: Court-Ordered Redistricting Gives Democrats Huge Boost in Bid to Flip House

There's little good news for Republicans when it comes to the battle for control of the U.S. House, save for one district in southwestern Pennsylvania that every prognosticator says is a virtual lock to flip to the GOP next month. The tradeoff for that, however, is six or seven other Pennsylvania seats that Democrats have designs on—all because of a major court-ordered redraw earlier this year of the state's congressional maps, moving them from overwhelmingly Republican to competitively Democratic. Indeed, if things go the way Democrats hope, Pennsylvania alone could account for more than a quarter of the 23 seats they need to win control of the House.

<https://www.washingtontimes.com/news/2018/oct/10/pennsylvania-redistricting-boosts-democrats-bid-ho/>