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ACRU Election Integrity Bulletin

LEAD STORY

“Maximum Penalties”: President Trump Issues Stern Warning for Anyone Engaging in Voter Fraud

President Trump on Saturday tweeted a warning to people engaged in voter fraud, stating that those found guilty would be subject to “both civil and criminal” penalties. “All levels of government and Law Enforcement are watching carefully for VOTER FRAUD, including during EARLY VOTING,” Trump tweeted. “Cheat at your own peril. Violators will be subject to maximum penalties, both civil and criminal!”

<https://dailycaller.com/2018/10/20/trump-voter-fraud-warning/>

FEDERAL

USA Today: Voting Integrity Should Not be Seen as a Partisan Issue

The claim that Republicans are “suppressing” votes or making it harder to register is a myth designed to scare voters. The 1992 National Voter Registration Act imposes strict rules for voter registration and how states must maintain the accuracy of those rolls. It is very easy to register to vote all over the country, with just a one-page mail-in form in those states that require registration. States are complying with the NVRA by removing from the rolls voters who have moved or died. The claim that requiring an ID to vote keeps people out of the polls is also false. States such as Georgia and Indiana not only have had no problems in more than a decade with voter ID laws, but voter

turnout actually increased after their laws went into effect. This demonstrates that public confidence in the integrity and validity of elections is critical to increasing voter participation.

<https://www.usatoday.com/story/opinion/2018/10/17/election-integrity-isnt-partisan-issue-editorials-debates/1676291002/>

Investor’s Daily: U.S. Has 3.5 Million More Registered Voters Than Live Adults—A Red Flag for Electoral Fraud

American democracy has a problem—a voting problem. According to a new study of U.S. Census data, America has more registered voters than actual live voters. It’s a troubling fact that puts our nation’s future in peril. As reported by the *National Review’s* Deroy Murdock, who did some numbers-crunching of his own, “some 3.5 million more people are registered to vote in the U.S. than are alive among America’s adult citizens. Such staggering inaccuracy is an engraved invitation to voter fraud.” Murdock counted *Judicial Watch’s* state-by-state tally and found that 462 U.S. counties had a registration rate exceeding 100% of all eligible voters.

<https://www.investors.com/politics/editorials/u-s-has-3-5-million-more-registered-voters-than-live-adults-a-red-flag-for-electoral-fraud/>

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Daily Signal: Killing the Electoral College Would Alienate Half the Country

The call to eliminate the Electoral College reflects an underlying contempt for our Constitution and its protections for personal liberty. The Founders saw our nation as being composed of sovereign states that voluntarily sought to join a union under the condition that each state admitted would be coequal with every other state. The Electoral College method of choosing the president and vice president guarantees that each state, whether large or small in area or population, has some voice in selecting the nation's leaders. Were we to choose the president and vice president under a popular vote, the outcome of presidential races would always be decided by a few highly populated states.

<https://www.dailysignal.com/2018/10/17/killing-the-electoral-college-would-alienate-half-the-country/>

Daily Journal: Sessions Criticizes Court Order on Deposition in Census Case

Attorney General Jeff Sessions on Monday criticized a court order that allows for the questioning of Commerce Secretary Wilbur Ross on how a citizenship question came to be added to the 2020 census. The court's actions, the Attorney General said in a speech to the conservative Heritage Foundation, represent an improper attempt "to hold a trial over the inner-workings of a Cabinet secretary's mind." With his remarks, Sessions waded into a simmering legal dispute that may ultimately be resolved by the Supreme Court, which solidified its conservative majority with the recent addition of Justice Kavanaugh.

<http://www.dailyjournal.net/2018/10/15/us-census-citizenship-question-lawsuit-5/>

Breitbart: Big Tech Engages in Massive Voter Registration Push Before Midterms

Big Tech companies, including Google, Facebook, Twitter, and Snapchat are encouraging their users to register to vote before the United States midterm elections in November. On Tuesday, Google turned its

search homepage into a call to action for voter registration to mark National Voter Registration Day. <https://www.breitbart.com/tech/2018/09/25/big-tech-engages-in-massive-voter-registration-push-before-midterms/>

STATES

Connecticut: DMV Shouldn't Be Making Judgment Calls on Voter Eligibility

The state Department of Motor Vehicles is facing an elections complaint, filed by a pair of registrars of voters, that says the much-maligned agency shouldn't be making judgment calls on voter eligibility—and is doing so sometimes erroneously. The Republican and Democratic registrars of Greenwich filed a joint complaint Oct. 9 against the DMV, alleging that it haphazardly added a local woman to the election rolls who clearly indicated that she is not a U.S. citizen and did not want to register to vote.

<http://www.courant.com/politics/hc-pol-dmv-elections-complaint-20181019-story.html>

Florida: Andrew Gillum's Family Under Investigation; May Have Engaged in Voter Fraud

Less than a year before gubernatorial candidate Andrew Gillum publicly denounced President Donald Trump's efforts to investigate the threat of voter fraud, Gillum's brother, Marcus Gillum, voted in the 2016 general election in Tallahassee, Florida while a resident of Chicago, Illinois. According to Florida law, you must be a legal resident in Florida to vote in elections. Casting an illegal vote in Florida is a third-degree felony. Leon County voting records show Marcus Gillum voted by absentee in the 2012 general election, absentee in the 2014 primary election, and early voted in the 2016 general election. But the trouble is, months before he cast that 2016 ballot in Florida, Marcus Gillum, in an affidavit for an unrelated court case, swore under oath he was a resident of Chicago.

<https://www.breitbart.com/politics/2018/10/20/andrew-gillums-family-under-investigation-may-have-engaged-in-voter-fraud/>

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Georgia: ‘Pending Voter’ Rowdydow More an Election Issue Than a Voting One

Democrats have tried to make a scandal out of Georgia’s estimated 53,000 “pending” voter registrations in advance of the Nov. 6 election. They’ve tried to make it appear as if Republican Secretary of State and gubernatorial candidate Brian Kemp is trying to suppress minority voting. Indeed, they argue, 80 percent of the pending registrations are of minority voters. It seems much more complicated than that, however. For one thing, if Kemp is trying to suppress votes, he’s not doing a very good job of it: Those whose registrations are pending—because their names don’t match state or federal record—can indeed vote in the Nov. 6 election with a valid I.D. that clears up the confusion.

<https://www.augustachronicle.com/opinion/20181017/editorial-georgias-pending-voter-rowdydow-more-election-issue-than-voting-one>

North Carolina: Why the State Needs a Photo Voter ID Amendment

Even foreign election observers have confirmed our warnings about this state’s election laws: When it comes to preventing voter fraud, North Carolina falls below nations like Libya and Mexico. Summarizing the opinions of 60-plus United Nations observers, Foreign Policy Magazine wrote, “The most often noted difference between American elections among the visitors was that in most U.S. states, voters need no identification... and there’s often no way to know if one person has voted several times under different names.”

<https://www.newsobserver.com/opinion/article220298625.html>

Pennsylvania: Rep. Metcalfe Calls Out Commissioner Marks, Wolf Administration, for Hiding the Truth on Illegally Voting Foreign Nationals

Pennsylvania House State Government Committee Chairman Daryl Metcalfe (R-Butler), convened a public hearing focusing on the ongoing efforts to protect and improve election integrity throughout the

Commonwealth. During his opening remarks, Metcalfe called out Commissioner Jonathan Marks, Pennsylvania Department of State, Bureau of Commissions, Elections and Legislation, for withdrawing his testimony less than 30 minutes before the start of today’s meeting at the advice of legal counsel. “Commissioner Marks’ failure to appear to publicly answer questions regarding the number of foreign nationals illegally registered to vote in Pennsylvania is just another example of the Wolf administration dragging its feet at every turn to keep these records hidden from the public,” said Chairman Metcalfe.

<http://www.repmetcalfe.com/NewsItem.aspx?NewsID=272573>

Texas: Dems Under Investigation After Sending Voting Applications with Citizenship Box Pre-Checked to Non-Citizens

The Texas Democratic Party is under investigation after being accused of sending out voter-registration applications to non-citizens with the citizenship box already checked “Yes.” The possible violation was first raised Thursday by the Public Interest Legal Foundation (PILF), a nonprofit specializing in election integrity, which alerted both state and federal authorities. Following the reports of the alleged violation, Texas Gov. Greg Abbott said the issue is “being investigated” and “there will be serious consequences” if confirmed. “A complaint says the Texas Democratic Party asked noncitizens to register to vote, sending applications with citizenship box pre-checked. This is being investigated. If true there will be serious consequences,” he wrote in a tweet. Texas’ Secretary of State Sam Taylor told the Washington Times that some non-citizens contacted his office asking whether there were any law changes that gave them the right to vote.

<https://www.foxnews.com/politics/texas-democrats-under-investigation-after-sending-applications-with-citizenship-box-pre-checked-to-non-citizens>

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REDISTRICTING

Bloomberg Law: Kavanaugh, Court Could Bury Partisan Gerrymandering Challenges

A strengthened conservative U.S. Supreme Court majority with the addition of Justice Brett Kavanaugh could spell the end of constitutional challenges to partisan gerrymandering. The court is likely to take up the issue again this term in a North Carolina case, and reach a decision next year at the earliest—too late to influence the congressional midterms in less than a month.

<https://news.bloomberglaw.com/us-law-week/kavanaugh-court-could-bury-partisan-gerrymandering-challenges>

Virginia: California Professor from 2015 Gerrymandering Case will Redraw State's Voting Map

Bernard Grofman, a political science professor at University of California, Irvine, who has worked on another Virginia redistricting case, will redraw more of the state's voting maps as a court-appointed "special master" to fix 11 House of Delegates districts that were ruled to be racially gerrymandered. The contested districts were originally approved by Republicans and Democrats in 2011. Republicans opposed Grofman's appointment in a September court filing, saying that when he redrew the 3rd district, it benefited Democrats and cost former Republican U.S. Rep. Randy Forbes a seat. "This deprived Virginia of a high-ranking member of Congress," Republicans wrote.

<https://www.virginiamercury.com/2018/10/18/california-professor-from-2015-gerrymandering-case-will-redraw-virginias-voting-map/>

Fairlines: 2020 Reapportionment Forecast—Total Citizen Population

In 2020, the decennial census is currently set to include a citizenship question on the short-form for the first time since 1950. Litigation over that question is currently ongoing (see *State of Alabama v. U.S. Department of Commerce*). There is, however, no debate that doing so would return representation to many states that lost seats in the 2010 and 2000 reapportionments and save many potentially lost seats in 2020. At the same time a state like California with a higher non-citizen population would experience heavy losses. Distributing seats based on citizens rather than residents would not completely reverse long-term reapportionment trends. Only states located in the South or West would gain seats. Illinois, New York, and Rhode Island would still lose seats. The most significant impact would be felt by California, which would stand to lose 4 seats if Congressional representation is reapportioned in 2020 based on the total citizen population.

<https://fairlines.org/blog/apportionment/2020-reapportionment-forecast-total-citizen-population/#>