



October 9, 2018

ACRU Election Integrity Bulletin

LEAD STORY

Justice Ginsburg Stops Effort to Block Officials' Census Lawsuit Depositions, For Now

This week, the Trump administration moved the legal fight over its controversial plan to add a question about citizenship status to the 2020 census to the U.S. Supreme Court. Justice Ruth Bader Ginsburg denied the administration's request for the Supreme Court to temporarily block lower court-ordered document requests and depositions of two key Trump administration officials behind the question: Commerce Secretary Wilbur Ross and Justice Department official John Gore. She left the door open, however, for the administration to come back and ask the high court to permanently block plaintiff's attorneys from questioning Ross and Gore under oath. That's a move the administration has signaled it's planning to do with either a request for the Supreme Court to order lower courts to stop the depositions, or for the high court to hear the case.

<http://news.wbfo.org/post/trump-administration-moves-escalate-census-lawsuits-supreme-court>

FEDERAL

Rasmussen: Voters Want IDs at the Polls, Don't See Them as Discriminatory

A new Rasmussen Reports national telephone and online survey finds that 67% of Likely U.S. Voters think voters should be required to show photo

identification such as a driver's license before being allowed to vote. This is down slightly from 70% a year ago but down from a high of 82% in 2010. Support for voter ID requirements has mostly run in the mid-to-high 70s in surveys since 2006. Twenty-eight percent (28%) do not want voter ID laws, up slightly from earlier surveys.

<https://bit.ly/2zU06lQ>

Breitbart: Alexandria Ocasio-Cortez Calls for Abolishing Electoral College: 'Shadow of Slavery's Power'

Alexandria Ocasio-Cortez, the Democrat Party's rising socialist star running to represent New York's 14th District in Congress, called for the electoral college to be abolished on Saturday, moments after then-Supreme Court nominee Brett Kavanaugh was confirmed by the Senate. Ocasio-Cortez, tweeted her support for the process to be eliminated. "It is well past time we eliminate the Electoral College, a shadow of slavery's power on America today that undermines our nation as a democratic republic," she tweeted.

<https://www.breitbart.com/big-government/2018/10/07/alexandria-ocasio-cortez-calls-for-abolishing-electoral-college-shadow-of-slaverys-power/>

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STATES**Alaska: Over a Month Later, No Answers on Alleged Primary Voter Fraud**

It's been just over a month since the Alaska Division of Elections reported potential voter fraud in the state's primary—and still, no answers from the Alaska Department of Law on whether it's investigating. In the East Anchorage House District 15 race, people who were legally dead requested ballots and large numbers of votes were cast from single homes in the same trailer court. Among the irregularities is a man named Charlie Chang—hired by incumbent Gabrielle LeDoux's campaign. Chang is registered to vote in Alaska, but we now know that at least he, himself, was already registered with another party, and in another state. Where the 26 suspicious ballots cast in the race came from is still a mystery, but all 26 of them were in favor of LeDoux. The Division of Elections is referring all questions about Chang's vote and the other suspect ballots to the state's criminal division—which, so far, refuses to confirm or deny whether it's investigating.

<http://www.ktva.com/story/39207077/over-a-month-later-no-answers-on-alleged-primary-voter-fraud>

California: Gov. Jerry Brown Vetoes Bill to Give Non-Citizens Voting Rights

On Thursday, California Gov. Jerry Brown vetoed two bills that would have granted non-citizens extraordinary rights within the state. One proposal would have allowed non-citizens, including undocumented immigrants, to serve on state boards and commissions. Another bill would have barred immigration authorities from making arrests inside courthouses across California.

<https://www.legalreader.com/jerry-brown-vetoes-non-citizens-voting/>

Kentucky: Attorney General Beshear Appoints Independent Counsel to Investigate Allegations Against Secretary of State Grimes

Attorney General Andy Beshear has appointed an independent counsel to examine allegations against Secretary of State Alison Lundergan Grimes, including that her office misused voter data and potentially violated Kentucky's personnel laws. Among those allegations are claims that Grimes' staff used the voter registration database to look up the party affiliation of merit staffers while they were applying for a job at the state board of elections and to look up the party affiliations of current state board of elections staff. Kentucky State Board of Elections executive director Jared Dearing also accused Grimes of creating a hostile work environment, telling him to slow-walk a process ordered by the Department of Justice and overstepping her constitutional authority as chief elections officer and chairwoman of the State Board of Elections.

<https://www.kentucky.com/news/politics-government/article219381855.html>

Nebraska: Stark Differences on Voter ID Split Secretary of State Candidates

After 18 years in office, John Gale said he will not pursue another term as Nebraska's Secretary of State, elevating the campaign to fill the vacancy of the statewide position. Bob Evnen, a Republican from Lincoln, and Spencer Danner, a Democrat from Omaha, hope to replace Gale as the state's chief election officer, ambassador and record-keeper. Evnen, 65, supports requiring voters to show identification before they cast a ballot, a Republican-backed proposal that has been introduced and defeated in several recent legislative sessions. Two-thirds of states have some form of voter ID, he said, and polling done within the last few years has shown wide support for the measure as high as 88 percent, including more than 75 percent among minorities.

https://journalstar.com/news/state-and-regional/govt-and-politics/stark-differences-on-voter-id-split-secretary-of-state-candidates/article_d49e8166-9ba3-571d-bdca-8a2ec53bf6f8.html

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Nevada: State Sets Registered Voter Record, Nonpartisan Voters Reach All-Time High

The November 2018 midterm election is around the corner and the key battleground state of Nevada has just set a new record for registered voters. The Nevada Secretary of State's Office is reporting 25,041 people registered in September, bringing the statewide total to 1,519,082 voters. "Nonpartisan registration and non-major party registration is at an all-time high. It's close to 30 percent of the electorate," said Ralston.

<https://www.ktnv.com/news/nevada-sets-registered-voter-record-nonpartisan-voters-reach-all-time-high>

North Carolina: Debate Focuses on Voter ID Amendment

A proposed constitutional amendment requiring a photo ID to vote has sparked significant controversy in state politics. The amendment, which will appear on the November ballot, represents a second attempt at enacting photo ID rules for state voters. Civitas Institute polling finds North Carolina voters appear to broadly support requiring a photo ID to vote.

<http://www.courier-tribune.com/news/20181005/debate-focuses-on-voter-id-amendment>

North Dakota: Officials Tell Tribes of Election, Voter ID Requirements

North Dakota is going ahead with requiring residents to provide a street address in order to vote on Election Day, even though some American Indian tribes have argued in federal court that they sometimes aren't assigned on reservations. Secretary of State Al Jaeger's office notified the state's five tribes by email late Friday of North Dakota voter ID requirements. The email said obtaining a residential street address is a quick and no-cost process that can be done by notifying 911 coordinators in any of North Dakota's 53 counties. Residential street addresses have been assigned to every known dwelling in the county, which covers more than 1,100 square miles in south-central North Dakota.

<http://www.startribune.com/north-dakota-officials-tell-tribes-of-election-requirements/494825841/>

Texas: Roma Woman Arrested on Voter Fraud Charges

A Roma woman was arrested Thursday evening on multiple voter fraud charges relating to the November 2018 general election, confirmed 229th District Attorney Omar Escobar. Modesta Vela, 60, was arrested by investigators with the 229th District Attorney's Office on felony charges of illegal voting, knowingly possessing a ballot or ballot envelope of another person with the intent to defraud, and election fraud, in addition to a misdemeanor unlawful assistance of a voter charge. The Texas Attorney General's voter fraud unit assisted the DA's office as to "how to investigate this matter and what evidence to obtain," Escobar said. Vela, who was employed by Starr County Precinct 2 until her termination in early 2018, was previously arrested in 2010 on a misdemeanor voter fraud charge after she allegedly failed to sign at least 10 to 20 mail-in ballots she helped prepare, according to *The Monitor* archives.

https://www.themonitor.com/news/local/article_f11f643c-c8e6-11e8-8795-df5e61a5389e.html

Vermont: Montpelier Puts Noncitizen Voting on Ballot; Winooski Delays Action on Measure

Montpelier citizens will be going to the polls on noncitizen voting in November while Winooski city leaders have hit the brakes—for now. Capital City residents have collected enough signatures to mandate a vote on whether noncitizens who are legal residents of the city can vote in municipal elections. In Winooski, the City Council voted 3-2 Sept. 17 against putting a measure on November's ballot, instead setting up a committee to consider the issue without setting a timeline for a vote. The proposed question asked whether to allow all residents 18 and older to vote in municipal elections regardless of their citizen status.

<https://vtdigger.org/2018/10/03/montpelier-puts-noncitizen-voting-on-ballot-winooski-delays-action/>

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REDISTRICTING

Maryland: Court Suggests Settlement Talks in Congressional Redistricting Case

A federal court on Thursday suggested settlement discussions be pursued in a case in which Republican voters in Maryland's 6th Congressional District want to toss out a map they say was unfairly crafted to benefit Democrats. The three-judge panel made the recommendation during a hearing on the case in Baltimore, according to the state attorney general's office, which is defending the current district boundaries. The options for U.S. District Court Chief Judge James Breder and two other federal judges could include having a nonpartisan redistricting commission redraw the boundaries, asking lawmakers to redo the map, or preserving the current district lines.

<http://www.baltimoresun.com/news/maryland/politics/bs-md-maryland-redistricting-case-20181004-story.html>

Virginia: GOP Leader Cancels Vote on Redistricting Plan, Accuses Governor of Partisan Obstruction

Virginia House Speaker Kirk Cox has canceled the legislative session he had set for Oct. 21 to take up a state redistricting plan, citing Gov. Ralph Northam's opposition. A three-judge panel of the U.S. District Court for the Eastern District of Virginia has given the state until Oct. 30 to come up with a plan to correct 11 state House districts that it said were racially gerrymandered. Without action by the General Assembly, the court will redraw the boundaries itself. Cox (R-Colonial Heights) and other GOP House leaders have appealed that ruling to the U.S. Supreme Court but had pledged to pass a plan before the deadline. He said earlier this week that the House would convene Oct. 21 to vote on a plan approved by a committee late last month.

<https://wapo.st/2OHc3DO>