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# ACRU Election Integrity Bulletin

## LEAD STORY

### **Washington Times: Rubio, GOP Attorneys Allege Election Shenanigans in Florida**

Florida Republican Sen. Marco Rubio called what was happening in his state “an outrage” Friday night, as questions continued to swirl around the Senate and gubernatorial vote in Broward and Palm Beach Counties. Days after the deadline for early voting and the closing of polls on Election Day, officials in those two counties continued to make sporadic announcements of new vote counts, but the process has been opaque. Neither the number of votes that were ever available to count or that remain to be counted has even been made clear, according to Mr. Rubio and attorneys involved in the process. Mr. Rubio insisted the process in those counties has raised serious questions from the chain of custody of ballots, to the counting of them, and to the unwillingness or inability of elections supervisors to keep the public informed about what they were doing.

<https://www.washingtontimes.com/news/2018/nov/9/marco-rubio-gop-attorneys-allege-election-shenanig/>

## FEDERAL

### **Washington Times: Law Requiring a Birth Certificate to Register to Vote Advances to Appeals Court**

The debate over how to sift out illegal voters from legal ones has reached the federal appeals court level, making it possible the Supreme Court eventually will rule whether a state can demand a birth certificate to register to vote. The case before the 10th Circuit Court of Appeals in Denver centers on a 2011 Kansas law, the Documentary Proof of Citizenship (DPOC). In June, a district court judge struck down the law, with biting criticism of analysts who contend a large number of noncitizens nationwide vote illegally, tilting close elections to Democrats. The law requires proof of U.S. citizenship to register to vote. “This case should end up at the Supreme Court if the 10th Circuit doesn’t overturn the district court opinion,” said Hans von Spakovsky, a lawyer and Heritage Foundation election law expert. “The opinion is wrong on both the law and the facts. There is no violation of federal law simply because Kansas is trying to verify the citizenship of registered voters.”

<https://www.washingtontimes.com/news/2018/nov/4/birth-certificate-voter-registration-law-moves-app/>

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## STATES

### Alabama: Henry County Deputy Investigated for Voter Fraud, AG Says

Attorney General Steve Marshall revealed that a reserve deputy with the Henry County Sheriff's Office was arrested. A press release was sent out Monday explaining that Wylie Aaron Mathis, 46, was charged with giving false information during his voter registration. The deputy, a resident of Houston County, allegedly gave a fake address so he could vote in Henry County. Marshall said that crimes like these undermine the integrity of a citizen's constitutional right to vote. "Whenever someone cheats in order to participate in an election they are not entitled to vote in, the important civil rights of all citizens are diminished," Marshall said. "The laws of Alabama that protect the integrity of our elections are important to everyone. Those who violate our election laws and undermine the sanctity of our electoral process can expect to be vigorously prosecuted by my office."

<https://bit.ly/2B0FI34>

### Arizona: Senate Vote Count Settlement Reached; Counties Given Extension to Cure Ballots

Republicans and Democrats in Arizona reached an agreement in court Friday that gives all counties in the state until this coming Wednesday to address problems with ballots, as vote tallying for the state's tight Senate race continues. The settlement comes after Republicans filed a lawsuit Wednesday in a bid to prevent Maricopa and Pima counties—the two biggest counties in the state—from using procedures that permit mail-in ballot fixes to occur beyond Election Day, arguing that the practice was improper.

<https://fxn.ws/2Ov8Xi9>

### Arkansas: Voters Approve Voter ID Measure

Arkansas voters have passed Issue 2, a constitutional amendment on voter ID. With 77% of precincts

reporting late Tuesday night, the vote was 80% for and 20% against. The measure adds as a qualification to vote that a voter present certain valid photographic identification when casting a ballot in person or casting an absentee ballot. Issue 2 changes Article 3 of the Arkansas Constitution to amend the qualifications residents must meet in order to vote in an election in this state.

<https://www.fox16.com/election/arkansas-voters-approve-voter-id-measure/1577419696>

### California: Elections Office Updates Procedure to Avoid 'Multiple Voting'

Concerned that some voters might be confused whether to vote by mail or in person and try to do both, Contra Costa County Elections Division has updated its procedures for Tuesday's mid-term election. In a statement issued, the Division said California law lets voters who are issued a vote-by-mail ballot to turn it in and vote at polls during Election Day. "Besides being a waste of taxpayer dollars, it has resulted in the possibility of a voter casting more than one ballot without immediate detection," the statement said. The Division reviewed its processes at polling places and updated its practices to ensure election integrity and to prevent multiple voting, the statement said.

<https://martinezzgazette.com/elections-office-updates-procedure-to-avoid-multiple-voting/>

### California: Three Charged with Voter Fraud in Kern County

Three people have been charged with voter fraud in Kern County. According to the office of District Attorney Lisa Green, Gilberto De La Torre, John Byrne, and Fernando Osorio have been charged for violations of Election Code § 18560(a) or (b). The charges were filed as misdemeanors. A fourth person, Robert Lopez, Jr., was charged with perjury after allegedly falsely claiming non-citizenship on a jury summons to avoid jury duty. According to the D.A.'s office, perjury is a felony offense and all charges were a result of investigations by the Public Integrity Unit of the Kern County District Attorney's Office.

<https://www.turnto23.com/news/local-news/3-charged-with-voter-fraud-in-kern-county>

## California: Woman Faces Felony Voter Fraud Charges for Allegedly Voting Twice

The U.S. Justice Department is keeping a close eye on Sacramento County during Tuesday's election.

The Civil Rights Division will be monitoring polling places to ensure voting rights laws are followed, and voter fraud is not tolerated. Deidra Vrooman is charged with felony election fraud for casting two ballots in the 2016 primary election. She said her intention was not to vote twice. Vrooman was mailed two ballots, one from Nevada County and one from Alameda County. She was living out of her car at the time and did not know where she was currently registered, so she sent both back. Janna Haynes with Sacramento County Voter Registration and Elections says regardless of intent, it's a crime to vote twice. "What's important is not how many ballots you receive but the fact that you only vote one back because you can legally only vote one back," Haynes said.

<https://bit.ly/2FrGw5A>

## Florida: Judge Orders Broward Elections Chief to Turn Over Vote Counts to Scott's Campaign

Broward Circuit Judge Carol-Lisa Phillips also held that Brenda Snipes, Broward's supervisor of elections, was in violation of Florida public-records laws for not turning over the records requested by Gov. Rick Scott's campaign for U.S. Senate.

<https://www.miamiherald.com/news/local/article221443920.html>

## Florida: Broward County Elections Supervisor Mixed Invalid Provisional Ballots into Valid Batch

Broward County's elections supervisor mixed 20 invalid ballots with a pile of 205 valid ballots, giving more fuel to Republicans who have alleged Democrats are trying to steal the U.S. Senate election from Gov. Rick Scott, R-Fla., who faces incumbent Sen. Bill Nelson. Precinct workers had 205 voters fill out provisional ballots when the system at the precincts showed they weren't registered voters, which differed

from information at Broward election headquarters. Upon reviewing those provisional ballots, the canvassing board found 20 of those 205 votes had mismatched signatures and said they were illegal.

<https://washex.am/2DzVxQH>

## Florida: State Orders Machine Recounts for Governor, U.S. Senate, Four Other Races

Florida ordered mandatory machine recounts in three statewide elections Saturday for the first time in state history. Secretary of State Ken Detzner issued a one-page order directing all 67 counties to conduct a machine recount of all votes cast in the races for governor, U.S. Senator and commissioner of agriculture. The state placed a "machine recount indicated" banner in red letters below the first unofficial returns in all three races.

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

## Florida: State Will Restore Voting Rights to Felons

Florida will restore voting rights to felons who have completed their sentences. Under the newly passed law, Florida will return voting rights to an estimated 1.5 million felons who have completed the terms of their sentence, including parole and probation. It does not apply to felons convicted of murder or sex offenses. The constitutional amendment required approval by 60 percent of Florida voters to pass.

<https://bit.ly/2JVyU9J>

## Massachusetts: Cracks in the Election System Raises Concerns About Double Voting

Three voters were indicted in New Hampshire for allegedly double dipping in the race that got President Donald Trump elected. Massachusetts Secretary of State William Galvin says officials are trying to prevent a repeat. "We take great precaution," he said, showing letters his office has received in the last week from other states flagging former Massachusetts voters now registered in places like California, Tennessee, Vermont, to name a few.

<https://cbsloc.al/2FrThwC>

## Nevada: Voters Approve Automatic Voter Registration

Nevadans approved a measure to make voter registration automatic when a person applies for an identification card or a driver's license. Under the ballot measure, the voter registration system at the state's Department of Motor Vehicles would require Nevada residents to check a box to decline voter registration instead of the former opt-in system, The Associated Press reports. The measure would also allow a resident's voter registration information to be automatically updated if he or she is already registered to vote.

<https://thehill.com/homenews/campaign/415452-nevada-voters-approve-automatic-voter-registration>

## New York: Jammed Scanners Frustrate Voters in New York City

A two-page ballot caused havoc for scanning machines at polling places across New York City, as scores of broken scanners brought voting to a standstill at many locations on an Election Day marked by heavy turnout. Voters waited helplessly as the scanners stood idle. Mayor Bill de Blasio called the situation at poll sites "absolutely unacceptable" and said it showed that the city's Board of Elections was "broken." On Tuesday afternoon, he told 1010 WINS radio that the State Legislature must pass a law to turn the board into "a modern agency that knows how to provide the services it's charged with."

<https://www.nytimes.com/2018/11/06/nyregion/nyc-voting-machines.html>

## North Carolina: GOP Supermajority Will Write a New Voter ID Law Before More Democrats Take Office

Republican state legislators in North Carolina plan to write more laws this month to take advantage of the last weeks that they hold a veto-proof majority. Voters approved an addition to the state constitution that will require changes to state law: a photo ID requirement for voters. The constitutional change will take effect on Nov. 27, when the state elections board certifies results, said Gerry Cohen, former general counsel to the General Assembly. Legislative leaders have scheduled their session to resume that day. Voters

kept Republicans in control of the House and Senate but reduced their majorities enough that they won't be able to block Democratic Gov. Roy Cooper's vetoes without help from Democrats. But the new balance of power won't take effect until lawmakers' regular session in January.

<https://www.charlotteobserver.com/news/politics-government/article221299965.html>

## Tennessee: Memphis Voters Shoot Down Instant Runoff Voting Repeal

Memphis voters denied City Council members longer terms and overwhelmingly shot down a proposed repeal of instant runoff voting, according to unofficial vote tallies. Of the controversial trio charter amendments, the question that saw perhaps the most heated debate asked voters if they wanted to repeal instant runoff, or ranked-choice voting, before it's implemented for single-district council seats. Nearly 63 percent of Memphis voters, or 104,431, were against that ballot question, compared with 62,316 votes in favor of repealing ranked-choice voting. More than 70 percent of Memphis voters cast ballots in favor of instant runoff voting a decade ago, but the practice has not been implemented.

<https://www.commercialappeal.com/story/news/2018/11/06/early-votes-show-memphis-voters-overwhelming-against-three-ballot-questions/1857987002/>

## Texas: Nine People Arrested for Alleged Voter Fraud in Hidalgo County

Attorney General Ken Paxton announced that the Election Fraud Unit of his office arrested nine individuals accused of participating in an organized illegal voting scheme in Edinburg. The AG's office says the arrests follow an ongoing investigation into a coordinated effort by political workers to recruit people who agreed to fraudulently claim residential addresses so they could vote in specific city of Edinburg municipal races.

<https://www.kltv.com/2018/11/08/people-arrested-alleged-voter-fraud-hidalgo-county/>

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## Texas: Bettencourt Asks Secretary of State to Investigate Voter Registration Challenges

State Sen. Paul Bettencourt on Friday asked Secretary of State Rolando Pablos to investigate—with the help of the Texas Attorney General—whether the Harris County voter registrar is ensuring residents properly list their physical address on voter registrations, as required by law.

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

## Texas: Non-Citizens Voting in Texas? “We Got TONS of Them” Says Election Official on Undercover Video

Project Veritas has released undercover video of elections officials in Texas explain how non-citizens can vote in the November 6th 2018 Election.

<https://www.youtube.com/watch?v=veE5-O6wACw&feature=youtu.be>

## Dems Gain Governors but GOP Keeps Several Big States Ahead of Redistricting Battles

Democrats flipped governorships in seven states Tuesday, installing governors poised to play key roles in the next redistricting process in 2021 and 2022—but Republicans held onto several major states, giving no party a clear leg up two years ahead of the census. Haunted by their losses at the state level in 2010 and the years after, Democrats made redistricting a key organizing principle of the midterm elections, using the specter of political mapmaking to draw attention to state-level races and launching a new group, the National Democratic Redistricting Committee, to direct money to key races. Democratic wins in Kansas and Wisconsin broke up Republican “trifectas”—control of both state legislative houses and the governorship—in those states, while gains in Illinois, Maine, Nevada, and New Mexico gave Democrats full control over state government there.

<https://www.politico.com/story/2018/11/07/governors-redistricting-2018-elections-midterms-970032>

## REDISTRICTING

### Voters Approve Major Changes to Redistricting and Other Voting Laws

Across the country, states are on track to overwhelmingly change the way elections are run. In the ballot measures that passed Tuesday, voters in at least three states took the power to determine political boundaries away from state legislatures, while a similar proposition in Utah was too close to call. Voter registration deadlines could become a thing of the past in three states that are making it easier to take part in elections. Several states approved initiatives adopting voter ID laws that are aimed at curbing voter fraud (which has proved close to nonexistent despite claims to the contrary).

<https://n.pr/2RRNbFSb>