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# ACRU Election Integrity Bulletin

## LEAD STORY

### North Carolina: Amid Investigation, N.C. Elections Board Chairman Resigns After Anti-Trump Tweets

The chairman of North Carolina's elections board has resigned following complaints about comments he's made online criticizing President Donald Trump. Andy Penry resigned Saturday from the State Board of Elections and Ethics Enforcement. The Democrat said he was leaving the board because he did not want to undermine an ongoing probe of potential wrongdoing in the state's 9<sup>th</sup> Congressional District. Wake County GOP Chairman Charles Hellwig filed a complaint Wednesday and provided images of what appear to be tweets from Penry's account this year criticizing Trump and a proposed constitutional amendment.

<https://www.washingtontimes.com/news/2018/dec/2/andy-penry-north-carolina-elections-board-chairman/>

## FEDERAL

### EAC Finally Nearing Ability to Take Major Action

Congress will move closer to giving the Election Assistance Commission a full quorum of members today, when the Senate Rules Committee holds a confirmation hearing for President Donald Trump's two EAC nominees, Donald Palmer and Benjamin Hovland. The tiny federal agency, which plays a key role in mediating conversations between state election officials and federal agencies like DHS, currently only has two members, and it needs three to vote on major

policy decisions. It has lacked a quorum since March 23, when Matt Masterson, its former chairman, left following the expiration of his term and joined DHS. That lack of a quorum has threatened progress on a major EAC priority, the 2.0 update to its Voluntary Voting System Guidelines, which many states adopt as their voting system regulations.

<https://www.politico.com/newsletters/morning-cybersecurity/2018/11/28/eac-finally-nearing-ability-to-take-major-action-433181>

### Breitbart: Dem Rep.-Elect Hill: We're 'Prioritizing' Voting and Campaign Finance Legislation

Representative-elect Katie Hill (D-CA) touted H.R. 1, legislation that pertains to campaign finance, the Voting Rights Act, gerrymandering, and automatic voter registration. "Hello, my name is Katie Hill, the member-elect from California's 25<sup>th</sup> Congressional District. Under the Democratic Majority, H.R. 1 of the 116<sup>th</sup> Congress will be a bill that focuses on giving power back to people, not corporations or special interests. It will establish automatic voter registration, strengthen the Voting Rights Act and put an end to partisan gerrymandering. H.R. 1 also works to limit undue influence of big money by mandating more transparency and disclosure of political donations, fighting back against Citizens United, and creating a new 21st-century campaign finance system that empowers ordinary Americans."

<https://www.breitbart.com/video/2018/12/01/dem-rep-elect-hill-were-prioritizing-voting-and-campaign-finance-legislation/>

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## Washington Times: Bipartisan Senate Bill Would Strengthen Election Security with U.S. Allies

A pair of senators introduced bipartisan legislation aimed at easing the State Department's ability to share election security information with allies to combat disinformation campaigns, tackle voter fraud and thwart database hacks. Proposed by Sen. Dan Sullivan, Alaska Republican, and Sen. Amy Klobuchar, Minnesota Democrat, the Global Electoral Exchange Act would set up exchange programs between the U.S. and overseas partners to promote best practices among election officials to strengthen democracy around the world. "The threats to our democratic electoral process and those of other democracies across the globe should not be taken lightly," Mr. Sullivan said in a statement on Friday. The bill also authorizes State Department officials to provide grants to U.S. nonprofit organizations that specialize in election security to work with similar overseas organizations to protect their democracies from threats posed by countries like Russia and Iran.

<https://www.washingtontimes.com/news/2018/nov/30/senate-bill-strengthen-election-security-us-allies/>

### STATES

## Alaska: House Control Flips to GOP by One Vote After Recount

It appears that the Republican candidate for House District 1 has won a recount by one vote, securing a narrow majority in the house for the Republican Party. The Division of Elections announced that a bipartisan State Review Board had certified the results as of Friday afternoon. Candidate Barton LeBon received 2,663 votes while candidate Kathryn Dodge received 2,662 votes after the recount. The seat hinged on ballots that had either been spoiled or rejected.

"During the review, election officials identified a ballot that had been initially rejected based on the voter's registration. The voter in question was a felon who had been off of probation since 2017," reads the release from the Division of Elections. "Per state law, felons no longer in probation status can have their voting rights reinstated. Following the division's

research of the voter's eligibility, it was determined that their ballot should count, which was marked for LeBon." The election though is not definitively over. The Division of Elections reports that LeBon or Doge have up to "five days to file a legal challenge to the recount results in court."

<https://www.ktuu.com/content/news/Alaska-House-called-for-the-Republicans-after-recount-501685511.html>

## California: What is 'Ballot Harvesting,' and How Did Dems Use It to Nuke the GOP?

The stunning turnaround in California, of all states, can be attributed to several factors, as conservative critics like *The Federalist's* Bre Payton wrote, but the most significant of those seemed to be the practice of "ballot harvesting." Passed as a barely noticed change in the state's vote by mail procedures in 2016 and signed by then-Governor Jerry Brown, California's AB 1921 allows voters to give any third party—not just a relative or someone living in the same household, as was previously the law—to collect and turn in anyone else's completed ballot. Called "ballot harvesting," critics say the practice is ripe for fraud. Consider "Lulu," who was recorded trying to "harvest" what she thought was a Democratic voter's ballot in Rep. Knight's district. It's a "new service," said Lulu, for "like, people who are supporting the Democratic party." *The San Francisco Chronicle* reported that 250,000 such ballots were used in Orange County alone, resulting in a Democratic sweep there.

<https://dailycaller.com/2018/12/01/ballot-harvesting-california-dems-gop/>

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## Florida: Scott Suspends Broward County Official Brenda Snipes Over ‘Widespread Issues with Voting’

Outgoing Florida Gov. Rick Scott (R) issued an executive order on Friday to immediately suspend Broward County election chief Brenda Snipes following widespread criticism of the county’s vote tallying in November’s midterm elections. “Every eligible voter in Florida deserves their vote to be counted and should have confidence in Florida’s elections process,” Scott said in a statement. “After a series of inexcusable actions, it’s clear that there needs to be an immediate change in Broward County and taxpayers should no longer be burdened by paying a salary for a Supervisor of Elections who has already announced resignation.” Scott, one of Snipes’s fiercest critics, cited “widespread issues with voting” and “misfeasance, incompetence and neglect of duty” as reasons for suspending the election official. Voting in Broward County this cycle took longer than other Florida counties and was marred by allegations of misconduct by election overseers.

<https://bit.ly/2riOa8s>

## Florida: Brenda Snipes Rescinds Resignation as Broward County Elections Chief

Brenda Snipes has rescinded her resignation as Broward County elections supervisor, vowing to fight the immediate suspension slapped on her by outgoing Republican Florida Gov. Rick Scott for alleged misconduct. Snipes’ change of heart was announced by Burnadette Norris-Weeks, counsel to the Broward County supervisor of elections’ office, on Saturday, following Scott’s signing of an executive order Friday to replace Snipes, a Democrat, with Republican Peter Antonacci, Scott’s former general counsel. Scott, who is set to join Congress in the new year as the next senator from Florida, cited complaints against Snipes for “misfeasance, incompetence and neglect of duty.” It is unclear how the order will affect the \$71,000 a year pension Snipes was due to receive when she stepped down from the post.

<https://washex.am/2Ua2hdl>

## Georgia: Despite Claims of Suppression, Registration and Turnout Increased Under Kemp

“Brian Kemp oversaw for eight years the systematic and systemic dismantling of our democracy, and that means there could not be free and fair elections in Georgia this year.” If Kemp, as Abrams claims, sought to disassemble democracy in Georgia, he failed by every measure. Not only has overall voter registration increased by 20 percent since Kemp took office as Georgia’s secretary of state, but final tabulations indicate turnout in 2018 dwarfed previous midterm elections. This year, over 3.9 million individuals cast a ballot in Georgia’s gubernatorial election. By comparison, only 2.5 million individuals voted in 2014 and 2.4 million in 2010. Georgia’s total voter turnout this year was 55 percent, nearly 17 percentage points higher than 2014 and 14 percentage points greater than 2010. In 2018, the turnout totals rivaled prior presidential election years. In 2016, more than 59 percent of registered voters—or about 4 million—cast a ballot in Georgia, with similar numbers in 2012. Abrams was a prime beneficiary of this surge in turnout, capturing more votes than any Democrat running statewide since 2008. Her 1.9 million vote total exceeded Hillary Clinton’s 2016 performance by 34,000 votes and outpaced the Democratic Party’s 2014 nominee for governor by 800,000 votes.

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

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## Georgia: Primary Do-Over

Amid the runoffs, one Georgia primary election is being redone after a judge found the original vote in May was tainted by errors. State Rep. Dan Gasaway faces fellow Republican Chris Erwin in a primary do-over Tuesday in Georgia's northeast corner.

Gasaway's 28<sup>th</sup> House District seat includes about half of Habersham County as well as Banks and Stephens counties. The candidates first clashed in the May 22 primary, which Erwin appeared to win by 67 votes. But a Superior Court judge ordered a new election after Habersham County officials acknowledged mapping mistakes led to some voters being assigned to the wrong House district. No Democrats ran for the seat. That means whoever prevails in this second round of GOP primary voting will be sworn in when the legislature reconvenes in January.

<https://www.thenewtribune.com/news/business/article222489680.html>

## New Jersey: How an Increase in Mail-in Ballots Complicated the 2018 Election

Allegations of voter fraud are common in Atlantic City, and sometimes pop up in other towns—usually over suspected mishandling of mail-in ballots. Use of the paper ballots, which hit a high of almost 12,000 of 96,000 votes cast in Atlantic County this November, is increasing with each election. That trend worries those concerned about ballot tampering and encourages those focused on increasing voter participation. The question is: How can election officials avoid both the reality of voter fraud and the perception of it, which undercuts faith in the electoral process, while allowing people access to the convenient form of voting? Vote by mail is more convenient and allows more people to be part of the process. But unlike the machine count and provisional ballots, mail-ins are not overseen by election workers at all times. They go out through the mail and come back that way. “That means there is more opportunity for tampering with mail-ins than any other type of ballot”, said Republican Freeholder Chairman Frank Formica, who narrowly won re-election last month after his Democrat opponent garnered a deluge of mail-in votes.

<https://bit.ly/2ANWv3Q>

## North Carolina: Voter ID Bill Passes State Senate

A proposed voter ID bill that follows a newly approved state constitutional amendment is halfway toward the governor's desk after passing the Republican-led N.C. Senate on Nov. 29, mostly along party lines. “I'm very supportive of the bill and the passage, as it's what the public has voted on,” Sen. Deanna Ballard (R-Blowing Rock) said regarding her ‘yes’ vote. “Over 55 percent voted in favor of voter ID (in the election), and I'm happy to work toward appropriate language (for the bill).” The measure, Senate Bill 824, is being taken up in a lame duck session that state Republicans planned in June if any of the six state constitutional amendment questions passed. Four of the six were voted in on Nov. 8, with voter ID getting 55.49 percent in favor.

[https://www.wataugademocrat.com/news/voter-id-bill-passes-state-senate/article\\_791c0d35-cc8d-5d87-909a-2ae2ad4eeecae.html?utm\\_medium=social&utm\\_source=twitter&utm\\_campaign=user-share](https://www.wataugademocrat.com/news/voter-id-bill-passes-state-senate/article_791c0d35-cc8d-5d87-909a-2ae2ad4eeecae.html?utm_medium=social&utm_source=twitter&utm_campaign=user-share)

## North Carolina: Possible Voter Fraud Probed in Tight House Race

It's been nearly a month since North Carolina voters cast their ballots for the 9<sup>th</sup> Congressional District, but officials are still holding off on certifying the winner amid an investigation of possible voter fraud pertaining to absentee ballots.

<https://video.foxnews.com/v/5973692898001/?#sp=show-clips>

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## Ohio: Clean Up Voter Registration Rolls

Claims of “voter suppression” have sunk to new, ridiculous lows in many parts of the United States. Good for Ohio Secretary of State Jon Husted for refusing to be cowed by them. Like conscientious chief election officers in many states, Husted thinks Ohio’s voter registration rolls should be cleaned up. But when Husted, a Republican, decided to do that, liberals cried “voter suppression.” A lawsuit was filed to block him. In June, the U.S. Supreme Court ruled in Husted’s favor. He decided to postpone implementation of the program until after the Nov. 6 election. With the election over, Husted has resumed the process of cleaning up Ohio’s voter registration rolls. It may not be possible to complete the project until a new secretary of state (Frank LaRose, elected Nov. 6) takes office. LaRose should keep up the good work. Keeping voter registration rolls packed with people who do not exercise their franchise, who no longer live where they were once—or who have been dead for years—serves no one. Changing that is not “voter suppression,” it is common sense.

<http://www.theintelligencer.net/opinion/editorials/2018/11/clean-up-voter-registration-rolls-2/>

## Wisconsin: GOP State Lawmakers Look to Limit Early Voting in Lame Duck Session

State lawmakers will vote next week on a number of Republican-backed proposals, including a plan to limit early voting in Wisconsin. The so-called “extraordinary session,” approved by legislators on Friday and scheduled to begin Monday, is aimed at passing a number of new laws before Democratic Gov.-elect Tony Evers takes office in January. One proposal would trim several days off Wisconsin’s early voting window—a move opponents have argued is aimed at suppressing certain voting populations, including students and minorities.

<https://www.wpr.org/node/1366861>

## REDISTRICTING

### Free Beacon: Eric Holder-Led Group Releases State Target List Leading Up to 2020

A group focused on congressional redistricting efforts backed by President Barack Obama and led by former attorney general Eric Holder, a potential Democratic presidential contender, released a map of the states the organization will target leading up to the 2020 elections. The National Democratic Redistricting Committee (NDRC), a Washington, D.C.-based group founded in 2016 that focuses on “Republican gerrymandering”, sent an email to supporters this week with a “sneak peek” of the states the group will focus on in the upcoming years. “Friend—As a longtime supporter of the NDRC, we wanted you to be one of the first to see our map of 2019-2020 targets,” the fundraising email reads. “We have red states, blue(-ish) states, and purple states on our list—but they’re all states where we need to stop or prevent Republican gerrymandering.”

<https://freebeacon.com/politics/eric-holder-led-group-releases-state-target-list-leading-2020/>

### Michigan: Dispute Over Republican-Drawn District Maps Will Go to Trial

A three-judge panel has cleared the way for a trial that could upset districts in the Michigan Legislature and the state’s congressional delegation. The panel says Democrats so far have presented sufficient evidence that districts were shaped by Republican operatives to guarantee the GOP’s dominance after the 2010 census, especially in the Legislature. The lawsuit alleges that constitutional rights were violated when Democratic areas were packed in certain districts or spread among many districts to dilute their influence. In a 43-page decision Friday, the panel of federal judges says emails exchanged by map makers “illustrate the profound extent to which partisan political considerations” were at play.

<https://www.usnews.com/news/best-states/michigan/articles/2018-11-30/dispute-over-republican-drawn-district-maps-will-go-to-trial>

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## **New Jersey: To Combat Gerrymandering, Democrats Propose Drawing Maps to Entrench Their Power**

Bucking a national trend toward fighting gerrymandering by removing partisan politics from the process of drawing political maps, New Jersey Democrats are seeking to amend the state constitution in a way that would entrench their power in Trenton. The proposal has drawn sharp criticism from good-government groups, civil rights groups, and redistricting experts who warn it would allow Democrats to unfairly draw the state's legislative districts in their favor. A group led by prominent national Democratic figures called it "a major step in the wrong direction." Top Democratic lawmakers this month hope to quickly advance the proposal, which would increase their role in drawing the legislative maps and explicitly use the previous decade's election results in determining district boundaries for the next 10 years. Voters could be asked to weigh the amendment as early as next November.

[http://www2.philly.com/philly/news/politics/nj-redistricting-proposal-democrats-gerrymandering-constitutional-amendment-20181201.html?\\_vfz=medium%3Dsharebar](http://www2.philly.com/philly/news/politics/nj-redistricting-proposal-democrats-gerrymandering-constitutional-amendment-20181201.html?_vfz=medium%3Dsharebar)

## **Virginia: GOP Ask for Delay in Redistricting**

Virginia Republicans have asked a federal court to delay Virginia's 2019 primary schedule for three months to enable the U.S. Supreme Court to settle a redistricting lawsuit. The Richmond Times-Dispatch reports that House of Delegates Speaker Kirk Cox also formally asked the court Wednesday to suspend efforts to redraw 11 House districts found to be racially gerrymandered. A court-appointed expert is scheduled to file a redrawn map by Dec. 7. Republicans have appealed the gerrymandering ruling to the Supreme Court in an attempt to prevent a more Democratic-friendly map. A Supreme Court ruling isn't likely to come until May or June. Legislative primaries are scheduled for June 11. Cox wants them rescheduled to Sept. 10

<http://www.delmarvpublicradio.net/post/virginia-gop-asks-delay-redistricting>