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Voting
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Institute

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ACRU Election Integrity Bulletin

LEAD STORY

Trump Must Go to the Mat Over Liberal Judge's Ruling on Census Question

A Manhattan District Court Judge earlier this week blocked the Trump administration from adding a question on citizenship to the 2020 census, and in doing so has sought to weaken executive power while strengthening the administrative state. The Trump administration has one choice here: Overturn this judicial overreach through appeal. The decision was biased and based on selective evidence. It needs to be overturned and corrected at once. As Judge Jesse M. Furman of the Southern District of New York himself observed in his ruling, "Time is of the essence because the Census Bureau needs to finalize the 2020 questionnaire by June of this year." The administration must therefore seek a stay at the U.S. Court of Appeals for the Second Circuit, and if that fails go straight to the Supreme Court for an expedited review.

<https://www.dailysignal.com/2019/01/19/trump-must-go-to-the-mat-over-liberal-judges-ruling-on-census-question/>

FEDERAL

Does Broward County Hold the Key to Stemming Vote Fraud?

As politicians and political analysts like to say, "Elections have consequences." Indeed, they do, and the corruption of elections have consequences as well, all of them dire. A law can be on the books,

but if it's not enforced it might as well not exist. That has been the problem with Section 8 and why a federal lawsuit against Broward County, Florida now before the 11th Circuit U.S. Court of Appeals has the potential to change the whole ballgame—in favor of legitimate voters. The *American Civil Rights Union v. Dr. Brenda Snipes* will finally give NVRA Section 8 the teeth it needs to protect authentic votes by defining the processes and procedures election officials must take to keep their voter rolls clean and accurate—literally cutting off the lifeblood of vote fraudsters. *ACRU v. Snipes* is scheduled for oral argument on March 12th and it's the case that can make a difference in how honest our elections will be in 2020.

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

Mitch McConnell: Behold the Democrat Politician Protection Act

Right on cue, even as their refusal to invest in border security prolongs this partial government shutdown, House Democrats have wasted no time rolling out a sprawling proposal to grow the federal government's power over Americans' political speech and elections. House Democrats won't come to the table and negotiate to reopen the government, but they've been hard at work angling for more control over what you can say about them and how they get reelected. They're trying to clothe this power grab with clichés about "restoring democracy" and doing it "For the People," but their proposal is simply a naked attempt to change the rules of American politics to benefit one party. It should be called the Democrat Politician Protection Act.

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

Democrats Move to Strip States of Election Power

If at first you don't succeed, change the rules of the game so that you can. This has been the modus operandi of the Democrat Party for a long time, and Dems are again putting it to work with their new House majority. HR 1, the first bill to be introduced in the new session, has been euphemistically called the For the People Act. This so-called voter-reform bill was introduced by Rep. John Sarbanes (D-MD), and Democrats are hoping to use it to fundamentally change America's voting and campaign-finance system. How does it work? It's totally rigged to tip the scales in favor of a putting a leftist government in permanent power in the U.S. The first big thing the bill does is centralize the whole voting process at the federal level, cherry-picking state election laws that have created Democrat fiefdoms in deep blue states and making them national. One of the great strengths of the American voting system has always been that it is controlled by the individual states. But a socialist takeover of a country is harder when each state has its own say in how it elects public officials.

<https://bit.ly/2T8kcjB>

STATES

Alabama: Mayor Convicted of Voter Fraud, Removed from Office

The Mayor of Gordon, Alabama, has been convicted of voter fraud and removed from office. News outlets report Elbert Melton was convicted Wednesday of unlawfully falsifying ballots when he was elected in 2016. He defeated challenger Priscilla Wilson by a 16-vote margin. This conviction strips him of his office. The Gordon Town Council will appoint an interim mayor to serve until an election is held. Melton was charged in September with absentee ballot fraud and second-degree theft of property. Arrest warrants say he knowingly obtained or exerted unauthorized control over \$1,700 that belonged to the town. Prosecutor Mark Johnson says the judge has released Melton

on bond. Melton is set to be sentenced next month on the fraud charge. He still is facing the theft charge.

<https://bit.ly/2S0TWKB>

Florida: DeSantis Suspends Palm Beach County Elections Chief

Citing failures to meet ballot counting deadlines during last year's contentious midterm election, Gov. Ron DeSantis suspended Palm Beach County Supervisor of Elections Susan Bucher Friday afternoon and named Republican lawyer Wendy Link as her replacement to "right the ship"—though he said Link would not seek the office in the next election and only fill the post for two years. Bucher is the second elections official to lose her job over the November 2018 recounts. Former Broward elections chief Brenda Snipes announced she was resigning only to be suspended by former Gov. Rick Scott in late November. Link sits on the state university system's Board of Governors and is also a board member of the Economic Council of Palm Beach County. Bucher, a Democrat and former member of the Florida House, is expected to contest her removal before the Florida Senate, which reviews executive suspensions.

<https://hrlid.us/2Wcr2q3>

Florida: Brenda Snipes Says Gov. DeSantis Let Her Resign with 'My Name and My Dignity' Intact

Gov. Ron DeSantis did something Friday his predecessor would not: Let former Broward Elections Supervisor Brenda Snipes leave office with her dignity intact. DeSantis did away with former Gov. Rick Scott's suspension of Snipes and accepted her resignation. Snipes welcomed the decision. "I was really concerned about restoring my name and my dignity," Snipes told the *South Florida Sun Sentinel* on Friday night. "Now there's no shadow hanging over the office that I led for 15 years." DeSantis said it was time to focus on the future.

<https://www.sun-sentinel.com/news/politics/fl-ne-desantis-accepts-snipes-resignation-20190118-story.html>

Georgia: Stacey Abrams: ‘I Wouldn’t Oppose’ Non-Citizens Voting in Local Elections

Stacey Abrams said she would not oppose the extension of voting rights to non-citizens in local elections, offering her remarks in a Friday-aired interview on PBS’s “Firing Line” with Margaret Hoover. Abrams ran for Georgia’s governorship as the Democrats’ nominee in 2018 and is the Democrats’ former leader in Georgia’s House of Representatives. Abrams predicted demographic change would benefit the Democrat Party. Abrams called for “mail-in voting” to become standard in national elections. Hoover did not ask about vulnerabilities to fraud in such a system. “I think that voting by mail makes a great deal of sense,” said Abrams. “I would love to see mail-in—you know, vote by mail be a national standard.”

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

Kentucky: Proposed Bill Would Allow Minors to Vote in Local Elections

This year, Kentucky lawmakers will consider amending the state’s constitution to allow 16 and 17-year-olds the right to vote in local elections. The bill in question was pre-filed in 2018 by Democratic Senator Reggie Thomas of Lexington. The bill would allow minors to vote in school board and local elections, such as Lexington’s recent mayoral race. If passed, Kentucky would become the first state to grant suffrage to minors. However, it would not be unprecedented for the state to pave the way in voting age reform; in 1955, Kentucky became the second state to lower the voting age from 21 to 18, preceded only by Georgia.

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

North Carolina: Ballot Harvesting vs. the GOP

Events of the past couple of months suggest conservatives who wish to maintain the integrity of American elections are looking in the wrong place.

We shouldn’t be so worried about who turns up at the polls, but who doesn’t and yet still casts a vote. “Ballot harvesting,” where individuals drop-off a large number of others’ postal absentee votes, is in vogue. It’s a worrying trend. Manipulation of absentee voting is a threat graver than voter impersonation. The 9th District aside, ballot harvesting is something Democrats can do and have done “better.” Grassroots operations facilitate access to voters who don’t want to go to the polls or are willing to have others deliver ballots for them. Their frequent ambivalence about politics and residence in many insular communities with cultures of political corruption make them especially vulnerable to ballot harvesters.

<https://www.robsonian.com/opinion/119407/ballot-harvesting-vs-the-gop>

North Carolina: Officials Haven’t Handed Over Massive Trove of Voter Data to Feds

A demand from the U.S. Department of Justice for data on North Carolina voters has so far gone unanswered by state officials, despite a deadline to produce the records that passed this week. State Board of Elections General Counsel Josh Lawson said neither his office nor any of the county elections boards have provided any documents in response to subpoenas from the office of U.S. Attorney Robert Higdon. The subpoenas were originally issued in September and demanded eight years’ worth of data on voters statewide, including five years of data and executed ballots from voters in 44 counties, as part of a grand jury investigation involving U.S. Immigration and Customs Enforcement and the U.S. Department of Homeland Security. Complying would have required state and local boards, as well as the state Division of Motor Vehicles, to hand over millions of records on the state’s registered voters just six weeks before the November election. Mounting concern over the demand prompted Justice Department attorneys days later to delay the production deadline until Jan. 14, clarify they wanted only redacted documents and offer to scale back the request.

<https://bit.ly/2S3VGmy>

North Carolina: A Green Card Holder Voted Illegally 3 Times in North Carolina. The Judge Scolds Election Officials.

Hyo Suk George lived legally in the United States for nearly 20 years before she voted in her first election, coaxed to cast her ballot by an enthusiastic town council member at church. To register, she presented a green card, Social Security number and driver's license—proof enough for the elections officials in Columbus County—then voted in 2008, 2010 and 2016. But on Thursday, George, 70, faced charges of illegal voting from the U.S. Department of Homeland Security, for which she might have spent six months in prison. Instead, U.S. District Court Judge Terrence Boyle chastised the elections board in Whiteville, letting George go with a \$100 fine.

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

Tennessee: Judge Dismisses Instant Runoff Voting Lawsuit

A judge has dismissed a lawsuit that sought to deem instant runoff voting legal in Tennessee, noting that an administrative challenge on the topic remains unresolved. This week, Davidson County Chancellor Anne Martin dismissed the lawsuit by several prospective Memphis city council candidates and IRV Memphis, Inc. against state elections coordinator Mark Goins and Shelby County's Election Commission. Memphis voters in 2008 approved city election instant runoff voting. They rejected a November referendum repeal attempt. The system lets voters rank choices, avoiding runoffs when no candidate tops 50 percent. The lawsuit says Shelby's elections administrator planned to begin instant runoff voting in 2019 municipal elections. Then, Goins wrote that Tennessee law doesn't allow ranked-choice voting. Martin wrote that the parties that sued didn't properly intervene in the yet-to-be-decided administrative case.

<https://www.wate.com/news/tennessee/judge-dismisses-tennessee-instant-runoff-voting-lawsuit/1707336595>

Texas: Another Noncitizen Indicted for Voter Fraud in 2016

A non-United States citizen was charged, arrested, and indicted for illegally voting in the November 2016 general election, says Texas Attorney General Ken Paxton. Late Tuesday, Paxton announced that Marites Canete Curry, a noncitizen Navarro County resident, was charged with one count of illegal voting following an investigation by the AG's election fraud unit. According to the AG's office, Navarro County election records indicated Curry illegally registered to vote in June prior to casting a ballot in November 2016. In Texas, illegal voting is a second-degree felony punishable up to 20 years in prison and a up to a \$10,000 fine. From 2005 to 2017, the attorney general's office prosecuted 97 defendants for numerous voter fraud violations, according to the press release. In 2018, Paxton's election fraud unit, with the assistance of a criminal justice grant from the office of Texas Governor Greg Abbott, prosecuted 33 defendants for a total of 97 election fraud violations. This included investigations and/or prosecutions involving noncitizen voting cases, as was reported by *Breitbart News*.

<https://www.breitbart.com/border/2019/01/16/another-noncitizen-indicted-for-voter-fraud-in-2016-says-texas-ag/>

(more)

REDISTRICTING

Texas: Trump Administration Opposes a Return to Federal Oversight for Texas Redistricting, Reversing Obama-Era Stance

In the latest about-face on voting rights under President Donald Trump, the U.S. Department of Justice no longer supports efforts to force Texas back under federal oversight of its electoral map drawing. In legal filings this week, the Justice Department indicated it would side against the voters of color, civil rights groups and Democratic lawmakers who want a three-judge federal panel in San Antonio to require Texas to seek pre-approval of its legislative and congressional maps, given previous maps that the federal judges ruled discriminatory. “The United States no longer believes that [federal supervision] is warranted in this case,” federal attorneys said in their filing to the court. It’s the latest twist in the high-stakes legal fight that could return Texas to the days when it couldn’t make changes to its maps without the Justice Department or a federal court first ensuring that state lawmakers weren’t infringing on the political clout of voters of color—a voting rights safeguard that was in place for decades until 2013. And it’s the most recent reversal by the Justice Department in the case.

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

Wisconsin: Democrats Oppose Delay of Wisconsin Redistricting Case

Democrats challenging Republican-drawn political maps in Wisconsin are opposing a request by the GOP-controlled state Assembly to delay a trial scheduled to start in April. Attorneys representing Democratic voters on Monday said in a federal court filing that Republicans are trying to “run out the clock on the 2011 gerrymander.” They say delaying the trial as requested would make it “nearly impossible” to get a final decision from the U.S. Supreme Court before the 2020 elections. The Legislature will draw new maps in 2021, based on the 2020 Census. Assembly Republicans earlier this month asked the court to delay the trial until after the U.S. Supreme Court rules in a pair of other gerrymandering cases in North Carolina and Maryland that would affect the Wisconsin lawsuit. Democratic Wisconsin Attorney General Josh Kaul took no position on the GOP delay request.

<https://wkow.com/news/wisconsin-news-from-the-associated-press/2019/01/15/democrats-oppose-delay-of-wisconsin-redistricting-case/>