



February 19, 2019

# ACRU Election Integrity Bulletin

## LEAD STORY

### Supreme Court to Decide if Census Can Check U.S. Citizenship

The Supreme Court will decide whether the 2020 census can ask every person in America if they are a U.S. citizen, granting review Friday on a legal challenge to that question and bypassing the federal appeals court in an extremely rare move not seen in many years. The Constitution commands in Article I, Section 2, that every ten years the U.S. government will conduct a nationwide census, and that congressional seats will be apportioned among the states based on those numbers. The Constitution mentions the census again in Article I, Section 9, Clause 4. The Supreme Court long ago handed down a series of cases holding that the Equal Protection Clause of the Constitution's Fourteenth Amendment requires that every state and federal legislative district within each state must represent the same number of people. The Court characterized this rule as, "One person, one vote." Those district lines are likewise based on census data.

<https://www.breitbart.com/politics/2019/02/15/supreme-court-to-decide-if-census-can-check-u-s-citizenship/>

## FEDERAL

### Townhall: The Stupidity of Ballot Harvesting and How it Steals Elections

There is another new term in our lexicon—"ballot harvesting." It has begun to spread across the country and there could not be anything that is more destructive to protecting the sanctity of our democracy than this idea. Just look at North Carolina and California. Ballot harvesting is the process where organized workers or volunteers—people you don't know—collect absentee ballots from voters and drop them off at a polling place or election office. It makes sense that the same people who encourage ballot harvesting are against voter ID laws or having county registrars clean the voter rolls. It is not a farfetched idea to think they have ulterior motives other than getting a higher voter turnout. If they do not have an ulterior motive when they are ballot harvesting, why are they only doing that at homes they believe support their partisan interests instead of all homes to enhance the overall voter turnout? This is for purely partisan political interests; thus, it is obvious to common-sense minds that there will be fraud involved. Someone will take the process to the limit and then exceed the limit.

<https://townhall.com/columnists/brucebialosky/2019/02/10/the-stupidity-of-ballot-harvesting-and-how-it-steals-elections-n2540993>

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## National Popular Vote: Making Every Vote Unequal

Anti-Electoral College advocates see a window of opportunity to eliminate America's unique presidential election system. They are seizing the moment, working to implement change before anyone realizes what happened. They even think they can do it without a constitutional amendment. National Popular Vote (NPV) is a California-based effort that has been running under the radar. Its proponents ask state legislatures to agree to an interstate compact. By the terms of that simple contract, each participating state would agree to allocate its entire slate of electors to the winner of the national popular vote. This is a change from the current system in which states award electors based on the internal state popular vote. NPV claims it is simply using constitutional provisions in a unique way. In reality the compact would effectively eliminate the Electoral College. NPV's plan goes into effect when states representing 270 electoral votes (enough to win the presidency) have agreed to the compact. To date, 11 states plus D.C. have approved the measure. Those states hold 172 electoral votes among them. NPV hopes to reach 250 electors by the end of the year. They would need just 20 more during the early months of 2020 to put their plan into action before the presidential election.

<https://www.insidesources.com/national-popular-vote-making-every-vote-unequal/>

## Fox News: William Barr is Our New Attorney General—Here are Four Things He Should Focus on Right Away

With the confirmation of William Barr as the 85<sup>th</sup> Attorney General of the United States, we now have an experienced hand leading the Department of Justice. At his confirmation hearing, Barr vowed to focus on violent crime, enforce our immigration laws, and protect the right to vote. But our country faces many additional challenges today, many of which require the active involvement of the Attorney General. Barr testified that election

integrity is one of the “foundations of our Nation” that is fundamental “to the peaceful transition of power through elections.” There is much to be done in this area, particularly because it is something the prior administration entirely neglected. That includes everything from finally going after states that refuse to maintain the accuracy of their voter registration rolls as required under federal law, to prosecuting election crimes such as aliens who illegally register and vote.

<https://www.foxnews.com/opinion/william-barr-is-our-new-attorney-general-here-are-four-things-he-should-focus-on-right-away>

## Townhall: ‘Suppression,’ Debunked: Study Concludes Voter ID Laws Do Not Depress Voter Turnout

One pillar of dogma among leftist activists is that voter ID laws, under which citizens are required to present a valid form of identification in order to cast ballots in elections, amount to insidious and racist forms of “voter suppression.” That term deserves to be placed in scare quotes because it's often employed as a catch-all phrase to describe any policy or idea that liberals believe would reduce their chances of winning. Voter ID laws have been upheld by the Supreme Court as constitutional and enjoy overwhelming public support—including approval from large majorities of racial minorities, who evidently don't share the professional Left's racialized hysteria.

<https://townhall.com/tipsheet/guybenson/2019/02/13/suppression-debunked-study-concludes-voter-id-laws-dont-decrease-voter-turnout-n2541344>

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**STATES****Alabama: Absentee Voting Fraud Happens ‘Frequently,’ Prosecutors Letting it Slide**

Alabama Secretary of State John Merrill testified in front of the U.S. House Homeland Security Committee Wednesday, warning against “federal overreach” and advising that absentee voting fraud occurs in the state “frequently” but is seldom prosecuted in local jurisdictions. This legislation championed by the leftwing of the national Democratic Party, entitled the “For the People Act,” proposes a massive overhaul of the federal election and campaign finance systems. He added that H.R. 1, if it were to pass against all odds, would not be able to be adhered to on the timeline mandated by the legislation because the federal government and most state agencies across the nation “move at the speed of government.”

<https://yellowhammernews.com/merrill-in-capitol-hill-testimony-alabama-absentee-voting-fraud-happens-frequently-prosecutors-letting-it-slide/>

**Colorado: National Popular Vote Legislation Clears Committee, Heads to House Floor**

A stark divide in electoral political philosophy was on display Tuesday at a House committee hearing on a bill that would make fundamental changes in the way Colorado’s presidential electoral votes are counted. The bill was passed on a party line vote by the Democrat majority. Senate Bill 19-042, titled “National Popular Vote,” proposes Colorado join a compact between states that requires member states to appoint electors “in association with the national popular vote (NPV) winner” and to give all their electoral votes to the NPV winner. The NPV totals for each candidate are determined by adding together the number of votes in each state “in which votes have been cast in a statewide popular election.” Colorado’s chief election official, the Secretary of State, is then required to declare which slate of presidential candidates is the NPV winner. The bill mandates that the slate of electors

nominated “in association with” the national popular vote winner, meaning by the party involved, be appointed as electors.

<https://pagetwo.completecolorado.com/2019/02/14/national-popular-vote-legislation-clears-committee-heads-to-house-floor/>

**Georgia: Stacey Abrams’ False Claims About Election Integrity**

In her response on behalf of Democrats to the State of the Union address, Stacey Abrams employed more of the over-the-top rhetoric that has come to characterize political opposition in the age of Trump. After laying out her grievances against the president and offering few concrete policies, Abrams’s speech pivoted to a harangue intended to perpetuate the liberal and media-driven myth that there is an epidemic of voter suppression going on in this country. Abrams’ propagation of the voter suppression myth used to condemn the efforts of states to safeguard elections does a disservice to our democratic system.

<https://patriotpost.us/opinion/61102-stacey-abrams-false-claims-about-election-integrity>

**Indiana: House Rejects Effort to Give Voters More Time to Get Absentee Ballots**

Democrats in the Indiana House tried and failed in their efforts to assure that Hoosiers have more time to apply for an absentee ballot. House Bill 1311, authored by Rep. Thomas Saunders, R-Lewisville, would change the amount of time to apply for an absentee ballot from eight to 12 days before an election because local county clerks had said they needed more time to process them.

[https://www.greensburgdailynews.com/news/local\\_news/house-rejects-effort-to-give-voters-more-time-to-get/article\\_8ea89037-3352-56fb-92e7-86db0a743c72.html](https://www.greensburgdailynews.com/news/local_news/house-rejects-effort-to-give-voters-more-time-to-get/article_8ea89037-3352-56fb-92e7-86db0a743c72.html)

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## Michigan: Ex-Oak Park Elections Director Funneled Money to Husband, Indictment Claims

A former elections director in a Detroit suburb is accused of paying her husband more than \$430,000 in a scheme to steal money. Stephanie Sumner was Oak Park's elections director from 2012 to 2015. She and husband Michael Sumner are charged with conspiracy and other crimes. An indictment accuses Stephanie Sumner of creating fraudulent invoices and listing her husband as a vendor. The government says the scheme started early in 2013 after they filed for bankruptcy in 2012. Not-guilty pleas were entered Monday by a judge in Detroit federal court. The charges include tax crimes. The government says the money wasn't reported on tax returns for 2013, 2014 and 2015.

<https://www.freep.com/story/news/local/michigan/oakland/2019/02/13/oak-park-elections-director-funneled-cash-husband/2866487002/>

## Minnesota: St. Louis Park Woman Charged with Voter Fraud

A 20-year-old St. Louis Park woman has been charged after authorities say she voted twice during elections held in October and November of 2017. According to a criminal complaint, Zameahia Jama Ismail faces one count of unlawful voting, a felony. The complaint said authorities were asked to investigate Ismail in May 2018 following an allegation that she voted twice in Hennepin County during the 2017 elections. Hennepin County elections officials provided documents that indicated she voted in both St. Louis Park and Minneapolis, the complaint said.

<https://kstp.com/news/st-louis-park-woman-charged-voter-fraud/5245560/>

## New Hampshire: 'First in the Nation' Voting Site Under Scrutiny for Alleged Election Law Violations

The New Hampshire primary is tentatively scheduled for Feb. 11, 2020, which is only—or “still,” depending on your tolerance for campaign coverage—about a year away. And for the past half-century, one of the most recognizable symbols of

the Granite State's early electoral contest has been Dixville Notch's midnight vote. Since 1960, the citizens of this tiny hamlet about 20 miles south of the Canadian border have gathered at midnight to cast the first official ballots in the presidential race, while camera crews gather to cover a ritual that's viewed by many as democracy in its purest form. But State election investigators started scrutinizing its local voter checklist shortly after the 2016 presidential election, in response to complaints questioning whether everyone who was voting in Dixville Notch actually lived there. “The transparency of the media coverage is part of what led to the concerns that were raised with our office regarding Dixville Notch and whether there were irregularities with the 2016 elections,” says New Hampshire Associate Attorney General Anne Edwards. Once investigators started looking more closely, it didn't take long to pinpoint those irregularities—because Dixville Notch's voter lists aren't very long. Fewer than a dozen people voted in Dixville Notch in 2016. Most of them, the state determined, probably should have voted somewhere else.

<https://www.kunc.org/post/first-nation-voting-site-under-scrutiny-alleged-election-law-violations#stream/0>

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## New Mexico: Audit Finds Signs of Fraud in New Mexico House Race

An audit of absentee ballots suggests fraud may have occurred in one of the closest House races in the country, *The Daily Signal* has learned.

Democrat Xochitl Torres Small squeaked by Republican Yvette Herrell in the final results of the Nov. 6 election. On election night, Herrell declared victory in the race to represent New Mexico's 2<sup>nd</sup> Congressional District. But as more votes were counted, Torres Small secured the win. The roughly 3,500-vote victory for Torres Small—out of about 200,000 cast in the southern New Mexico district—relied heavily on absentee ballots from Doña Ana County, the largest county in the district, including the Las Cruces area. The liberal Left continue to push their radical agenda against American values. The good news is there is a solution. A new audit report obtained by *The Daily Signal* alleges a “concerted effort” to push for absentee votes where New Mexico voter ID laws are not enforced. It also points to potential fraud in applying for absentee ballots and says a significant number of absentee ballots were time-stamped after the 7 p.m. deadline election night. The report was prepared for the losing Herrell campaign by Full Compliance Consulting LLC and Herrell campaign lawyer Carter B. Harrison.

<https://www.dailysignal.com/2019/02/15/exclusive-audit-finds-signs-of-fraud-in-new-mexico-house-race/>

## South Carolina: Beaufort County Man Sentenced to Jail After Voting in Elections Even Though He Was Not a U.S. Citizen

State officials say an Eastern Carolina man pled guilty to a charge of voting by an alien. 72-year-old Dieudonne Soifils was registered to vote in 2012 after executing a voter registration form claiming to be a United States citizen under penalty of perjury. The Haitian citizen was assigned a polling station in Beaufort County where he voted in the 2012 and 2016 general elections for president, vice-president, and members of the House of Representatives. The Document and Benefit Fraud Task Force in the

Eastern District of North Carolina lead by Immigration and Customs investigated Soifils. He was sentenced to 12 months' probation and a \$25 special assessment. The investigation into voting fraud is ongoing.

<https://www.witn.com/content/news/Beaufort-County-man-sentenced-to-jail-after-voting-in-elections-even-though-he-was-not-a-US-citizen-505593401.html>

## South Carolina: Richland County Elections Director Resigns

Richland County elections and voter registration director Rokey Suleman has resigned. Suleman informed the county elections board of his decision on Saturday, according to board chairwoman Jane Emerson. His resignation comes after *The Post & Courier* reported that about 1 percent of the 142,000 votes cast in last November's election did not get counted.

<https://www.thestate.com/news/local/article226094010.html>

## Texas: Harris County Lost Another Attempt to Keep Hiding Noncitizen Voter Roll Data from the Public

A federal judge has denied the county's motion to dismiss a lawsuit filed by Public Interest Legal Foundation, a law firm dedicated entirely to election integrity. The foundation sued Harris County Voter Registrar Ann Bennett last year under a transparency provision of the National Voter Registration Act (NVRA), after Bennett's office refused a request for access to voter records. Section 8 of the NVRA, also known as the “Motor Voter” law, requires voter registration officials to let the public see “all records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of official lists of eligible voters.” PILF requested access to records of registered voters identified through various sources as noncitizens, as well as any actions taken by the county regarding those registrations.

<https://texasscorecard.com/local/harris-county-loses-latest-bid-to-keep-hiding-noncitizen-voter-data/>

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## REDISTRICTING

### **Virginia: Federal Court Orders State to Adopt New Map**

A federal court on Thursday approved district boundaries for the Virginia House of Delegates redrawn by a court-appointed expert that will likely make it more difficult for House Republicans to defend their current 51-48 majority. Judges at the U.S. District Court for Eastern Virginia approved the new map in a 2-1 opinion. Republicans argued that the map “attempts to give Democrats an advantage at every turn.” The U.S. Supreme Court has agreed to hear a Republican appeal of the lower court decision in March, a legal action that VPAP says could delay the primary elections from June until after Labor Day.

<https://wtvr.com/2019/02/14/federal-court-orders-virginia-to-adopt-redistricting-plan-likely-to-benefit-democrats/>