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ACRU Election Integrity Bulletin

LEAD STORY

Democrats Take Steps to Undermine the Electoral College After Hillary Clinton's 2016 Loss to Trump

Democrats across the country are pushing legislation to grant the Presidency to the popular vote winner in a move that would undermine the Electoral College system that has been part of America's Presidential elections since its founding. The movement stems from 2016's Presidential election where liberal Americans saw their candidate obtain the most votes but lose to Donald Trump. Election results indicate Hillary Clinton won several million more votes overall than President Trump because she won big in highly populous states like California and New York. The US Constitution mandates the Electoral College system, giving every state a chance to be heard in Presidential elections. But Democratic officials in at least 11 states have taken steps to pass legislation to force their electors in the Electoral College to vote for the winner of the popular vote, even if the voters in their own states voted for the other candidate.

<https://bit.ly/2tM9iFa>

FEDERAL

Washington Examiner: Democrats Push to Regulate Voting Laws in 11 States Under New Voting Rights Act

House Democrats on Tuesday introduced legislation to require 11 states and dozens of counties with recent histories of voter discrimination to receive approval from the federal government before making any changes to their election laws. The Voting Rights Advancement Act is a move to repair the Voting Rights Act of 1965, part of which was struck down by the Supreme Court in 2013. That decision outraged Democrats who said the court essentially gutted a key provision of the law that was meant to correct decades of discriminatory treatment of black voters. The 11 states that are expected to be affected under the new VRAA are Alabama, California, Florida, Georgia, Louisiana, Mississippi, New York, North Carolina, South Carolina, Texas, and Virginia.

<https://www.washingtonexaminer.com/news/democrats-push-to-regulate-voting-rules-in-11-states-under-new-voting-rights-act>

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Washington Times: Eric Holder Calls for an End to the Electoral College: ‘It’s Undemocratic’

Former Attorney General Eric Holder, who is considering a 2020 Presidential bid, called Tuesday to abolish the Electoral College, saying it’s a “vestige of the past.” The potential Democratic Presidential candidate issued the tweet while linking to an article from the *Washington Post* that notes nearly a dozen traditionally blue states have passed legislation to circumvent the Electoral College. The push comes after President Trump won in 2016 by 77 Electoral College votes but lost the popular vote to Hillary Clinton by more than 2.8 million.

<https://bit.ly/2tO3Q4D>

Daily Signal: New Study Confirms Voter ID Laws Don’t Hurt Election Turnout

Less than one week after Georgia Democrat Stacey Abrams made inflammatory claims in her State of the Union response about an epidemic of “voter suppression” jeopardizing the character of our nation, the National Bureau of Economic Research (NBER) released a study that demonstrates once again that voter ID laws have no measurable impact on voting behavior. In other words, voter ID laws don’t “suppress” anyone’s vote. This latest study echoes the conclusion of others, including a landmark report by The Heritage Foundation in 2007 finding that voter ID laws don’t reduce voter turnout, including among African-Americans and Hispanics. These voters were just as likely to vote in states requiring photo identification as in those that don’t. Researchers for the NBER found that between 2008 and 2016, voter ID laws had “no negative effect on registration or turnout, overall or for any specific group defined by race, gender, age or party affiliation.”

<https://dailysign.al/2TcL19b>

Courier Journal: Don’t Be Deceived. ‘For the People Act’ Would Federalize Elections

The “For the People Act” would take significant

oversight authority away from the states and give it to federal agencies. It would require every state to implement online voting registration, without protections to verify eligibility. It would allow for same-day registration and voting during the mandated early voting period and on Election Day. It would eliminate all state voter ID requirements at polling locations, requiring only a signature instead. According to the Lawyers Democracy Fund, a nonprofit focused on election law, there are more than 30 new federal mandates in the more than 500-page bill that would be placed on states.

<https://bit.ly/2XvW90y>

STATES

California: DMV Audit Pending with Lawmakers Suspicious of Voter Fraud

The serious problems at the California Department of Motor Vehicles (DMV) are no longer fodder for jokes. In January we learned that DMV and county voter registrars told the California Secretary of State last year the motor Voter program was not ready. Motor Voter automatically registers voters when they renew or obtain a driver’s license. The DMV and registrars asked Secretary of State Alex Padilla to hold off on the roll-out. But Padilla and the state went ahead anyway. They had valid concerns, said Assemblyman Jim Patterson (R-Fresno). “The people of California are suffering with the DMV and its 1980’s technology,” Patterson said. Patterson announced Wednesday that a bipartisan request to audit the Department of Motor Vehicles’ Motor Voter Program will be heard by the Joint Legislative Audit Committee at a special hearing in May, co-authored by Assemblyman Patterson and Assemblyman Rudy Salas (D-Bakersfield), a member of JLAC, and JLAC Chair, respectively. The committee will vote in June on whether or not to authorize the California State Auditor to take up the issue.

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

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Colorado: Critics of National Popular Vote Bill Must Wait to Act

Colorado's effort to switch to a national popular vote for electing Presidents has passed both chambers of the state legislature, and opponents are eager to ask statewide voters to overturn it. Opponents of the change to a popular vote have vowed to force the issue onto statewide ballots. They say the change will weaken Colorado's political power by handing the state's electoral votes to whomever is chosen by more populated states such as New York and California. To overturn the law, they'll need to collect 124,632 signatures within 90 days after adjournment of the 2019 legislative session. That date is Aug. 1. Opponents can't start collecting signatures, however, until either Governor Polis signs the bill into law or it becomes law after 10 days on his desk without a signature. Only then can the Secretary of State's Office approve the format for petitions seeking signatures. And only after that has occurred can signatures be collected.

<https://dpo.st/2XDjTA0>

Florida: After That Embarrassing Recount, Can the State Regain the Public's Trust in Elections?

The 2018 election seemed to prove that Florida, home to the infamous 2000 Presidential recount, still hasn't figured out how to properly run an election. But the truth is, the state of Florida doesn't run the voting process. It merely oversees it. If the midterm election confirmed anything, it's that Florida's Secretary of State still struggles to create uniformity among dozens of operations run independently by 67 elected and autonomous election supervisors, and to manage the massive amount of data that streams in on election night. As hours turned to days without declared winners in three statewide races, the state's inability to explain how many votes had been rejected or even how many votes remained to be counted contributed to allegations of voter fraud, lawsuits and distrust in the basic foundation of democracy. So, even though who won any particular race is no longer in dispute, the efficacy of the state's election process remains in doubt. And in order to restore faith in the system, political scientists and election experts believe Florida

must improve the transparency and efficiency of the process by getting a better grip at ground level or risk a higher-profile embarrassment should the 2020 Presidential election yield a similarly close vote. <https://hrld.us/2VzSeOr>

Illinois: Authorities Investigate Vote-Buying Allegations in Crowded 25th Ward Race

Independent poll watchers have notified authorities of allegations of vote buying by a candidate who made the runoff election to replace Alderman Danny Solis in the 25th Ward. The non-profit non-partisan Chicago Lawyers' Committee for Civil Rights had poll watchers stationed at a polling place at 1354 S. Morgan St. on Tuesday and received reports from at least five voters who claimed they were offered gift cards in exchange for voting for Byron Sigcho-Lopez. <https://chicago.cbslocal.com/2019/02/27/25th-ward-vote-buying-allegations-byron-sigcho-lopez-alexander-acevedo-danny-solis/>

New Jersey: 'Keep Your Mouths Shut' about Uncounted Ballots, County Workers Say They Were Told

A Salem County employee claims she found months-old uncounted provisional ballots and when she alerted her boss, she was told to keep quiet. When she didn't, she claims she was fired. The allegations are included in a lawsuit filed in Superior Court in October 2018 by Debra Bradford of Carneys Point. Bradford, who worked as the Republican deputy registrar at the Salem County Board of Elections, says five uncounted and unaccounted for provisional ballots were found that were from the 2016 primary election when preparing for the general election that same year.

<https://www.nj.com/salem/2019/02/county-worker-says-she-found-uncounted-ballots-and-was-told-to-keep-her-mouth-shut.html>

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New York: Problems Still Plague Board of Elections as More Than 75,000 Voters Not Recorded after Casting Ballots

Forget the long lines and the broken ballot scanners, the City Board of Elections can barely keep track of who voted. The problem-plagued agency hasn't updated its voter records following last year's September primaries—making it appear as if more than 75,000 Brooklyn voters who made it to the polls didn't cast ballots, according to an inquiry conducted by State Senator Zellnor Myrie.

<https://www.nydailynews.com/news/politics/ny-pol-board-of-elections-voters-missing-from-rolls-purge-20190225-story.html>

North Carolina: Republicans Appeal Order Voiding Amendments on Voter ID

Republican legislative leaders have appealed a court ruling striking down new North Carolina constitutional amendments mandating photo identification to vote and lower caps on income tax rates. The notice filed on Monday with the Court of Appeals challenges Friday's decision by a Wake County judge voiding legislative directives to put the amendments on the ballot and voter approval of them in November. Judge Bryan Collins ruled the 2017-18 General Assembly that approved the amendment referendums last year were illegally established because federal courts had declared legislative district boundaries illegal gerrymanders. The ruling doesn't specifically cancel a December law implementing the voter ID mandates, but the decision calls into question whether it will stand. GOP lawmakers say the ruling threatens the validity of laws approved over an 18-month period.

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

North Carolina: Mark Harris Will Not Run in Election Again Following Fraud Allegations

Republican Mark Harris announced Tuesday that he would not run again to represent North Carolina's 9th Congressional District following allegations of

election fraud. The pastor said that a "necessary surgery" in March would prevent him from running again. The North Carolina State Board of Elections have not set a new date for the special election, which is the last of 2018. Mr. Harris' opponent, Dan McCready, a Democrat, has declared his candidacy for the new election. Mr. Harris' win was tainted with accusations of absentee ballot tampering by campaign staffer Leslie McCrae Dowless, which led to the new election being ordered.

<https://www.washingtontimes.com/news/2019/feb/26/mark-harris-will-not-run-in-nc-election-again-foll/>

Texas: True Confessions of Ballot Harvesters

Modesta Vela was arrested in Texas for illegal ballot harvesting. Harvesting has become a hot topic nationally with the spread of absentee balloting. "I've worked for over 30 years helping people in Roma vote," said Vela, who was arrested twice in October on charges of vote harvesting, or illegally assisting voters with their mail-in ballots, the same charges she faced in 2010. Omar Escobar Jr., the Starr County district attorney, a Democrat, says that far from being an exemplar of grassroots democracy, Vela is the "godmother of voter fraud." He is among a group of current and former district attorneys in South Texas who say it is long past time to reform what he sees as a threat to democracy in the Lone Star State—absentee or mail-in ballots and how they are handled. "The time has come to consider an alternative to mail-in voting," said Escobar. Something that can't be hijacked." This puts Escobar and his colleagues at odds with national trends aimed at increasing ballot access. Twenty-two states allow all-mail voting in special districts, municipal elections, or when candidates are unopposed. Mail-in voting nationally tripled from 2.4 million voters in 2008 to 8.2 million in 2016. In most states it goes off with hardly a hitch, including in three states where people vote exclusively by mail—Oregon, Washington and Colorado. But last November's election changed people's thinking about absentee balloting, after what happened in California and North Carolina.

https://www.realclearinvestigations.com/articles/2019/02/19/true_confessions_of_texas_vote_harvesters.html

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Texas: Federal Judge Directs More Counties to Halt Voter Citizenship Review Efforts as Lawsuits Proceed

As part of an ongoing flurry of litigation in federal court here over the state's bungled citizenship review of its voter rolls, a federal judge on Monday told a handful of Texas counties they may not—for now—purge registered voters or send them letters demanding proof of citizenship. Eight counties named in one of three pending lawsuits over the review effort agreed last week that they will not cancel any voter registrations as lawyers from a host of civil rights groups tangle with the state in court. U.S. District Judge Fred Biery said from the bench Monday that the other counties named in a separate lawsuit should consider themselves restrained in the same way as litigation proceeds. That doesn't apply to the other 200-plus counties in the state, but "we expect all the counties are watching these proceedings," said Nina Perales, Vice President of Litigation for the Mexican American Legal Defense and Educational Fund, one of the groups suing Texas and several counties.

<https://www.texastribune.org/2019/02/25/judge-tells-more-counties-not-purge-voters-now/>

REDISTRICTING

North Carolina: Court-Forced Gerrymandering Lawsuit Reveals Dem. Hypocrisy

In North Carolina, former Attorney General Eric Holder's National Democratic Redistricting Committee and other activist groups continue to cynically cast out any principles of equity or common-sense fairness in their effort to transform red states. On Friday, state Sens. Phil Berger and Ralph Hise, two of the top-ranking leaders in the GOP-led N.C. legislature, pointed to yet another example of Left's hypocrisy in ongoing "sue 'til blue" efforts to achieve court-forced redistricting favorable to Democrats at both the state and federal levels. Despite the fact that the left-leaning courts already imposed such a requirement, tossing out the legislature's district maps in favor of pro-Democrat ones in the 2018 election, the outcome did not yield its intended results. Although Republicans lost their super-majorities in the state House and Senate, they maintained majority control of both, wielding enough influence to keep in check Democratic Gov. Roy Cooper. Now, the Democratic activists argue, the maps again need to be redrawn to better tweak the distributions of liberal and minority voters. They have pressed lawsuits calling for all 170 seats in the state General Assembly to be re-examined, as well as its 13 U.S. congressional districts.

<https://www.libertyheadlines.com/gerrymandering-hypocrisy-lawsuit/>