



April 30, 2019

ACRU Election Integrity Bulletin

LEAD STORY

Blue State Blues: Republicans Cannot Win If ‘Ballot Harvesting’ Remains Legal

California Republicans are determined to take back the four congressional seats they lost in Orange County in 2018, among the seven the party lost statewide. They have some political momentum, as Nancy Pelosi’s Democrats have proven incapable of doing anything except arguing about impeaching President Donald Trump. Unfortunately, the tactic of “ballot harvesting,” introduced last November, has made it impossible for Republicans ever to win again. A democracy cannot function if there is such a wide gulf in ideas about what democracy actually is, and how it should work. But there is almost no remedy, because Democrats hold a supermajority in both houses of the state legislature, and ballot harvesting virtually ensures perpetual one-party rule.

<https://www.breitbart.com/politics/2019/04/26/blue-state-blues-republicans-cannot-win-if-ballot-harvesting-remains-legal/>

FEDERAL

Real Clear Politics: Why the Census Citizenship Question Matters

The objections to the citizenship question revolve around unjustified hysteria and the unfortunate, but growing, notion that citizenship doesn’t matter. As attorney general of Oklahoma, I filed an amicus curiae brief joined by 16 other states in support of the citizenship question, in part to bring some sober thinking that should quell the unreasonable panic. Let’s start with the Constitution: It gives Congress the power to conduct

the “Enumeration ... in such Manner as they shall by Law direct.” Congress, in turn, has by law delegated this authority to the Secretary of Commerce—authority that the Supreme Court characterizes as “virtually unlimited discretion.” So, the Constitution certainly allows demographic questions, including about citizenship, beyond a simple enumeration.

https://www.realclearpolitics.com/articles/2019/04/23/why_the_census_citizenship_question_matters_140135.html

Free Beacon: At Census Question Oral Arguments, SCOTUS Seems to Lean Trump

The Supreme Court’s conservative justices seemed ready Tuesday to preserve the Trump administration’s addition of a question about a person’s citizenship status to the 2020 decennial census. The case, *Department of Commerce v. New York*, is the high court’s first direct look at an administration policy since it upheld the “travel ban” last year, SCOTUSBlog reports. At oral arguments on 4/23, it seemed like the balance of the court was swinging against New York. Justices John Roberts and Brett Kavanaugh directed most of their questions towards the state’s lawyer, with Kavanaugh arguing that Congress gave the Secretary of Commerce “huge discretion” to select questions. Justices Neil Gorsuch and Samuel Alito, for their part, pushed back on the idea that a citizenship question would reduce response rates in-and-of itself, suggesting that other factors which differentiate citizens and non-citizens may explain any disparities. A decision in the case is expected over the summer. The Census will be carried out beginning April 1, 2020.

<https://freebeacon.com/issues/at-census-question-oral-arguments-scotus-seems-to-lean-trump/>

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Breitbart: Bernie Sanders Plan Would Allow 183K Murderers, 164K Rapists to Vote from Prison

Socialist Sen. Bernie Sanders' (I-VT) recent endorsement of giving voting rights to all American citizens who are currently in prison for local, state, and federal crimes would allow some 183,000 convicted murderers and 164,000 convicted rapists to vote from their jail cells. In a CNN town hall this week, Sanders endorsed allowing all convicted U.S. citizens—regardless of their crime—to vote from prison.

<https://www.breitbart.com/politics/2019/04/23/bernie-sanders-plan-would-allow-183k-murderers-164k-rapists-to-vote-from-prison/>

Daily Caller: Cher Slams Bernie Sanders after He Said Violent Felons 'Still Deserve the Right to Vote'

Cher slammed Presidential hopeful Bernie Sanders over his belief that he thinks anyone over the age of 18 should be allowed to vote, including violent felons like terrorists and rapists in prison. “Does Bernie Sanders Really Believe [People] In Prison Who Are Murderers, Rapists, Child Molesters, BOSTON [Marathon] BOMBERS ...STILL DESERVE THE RIGHT TO VOTE,” the 72-year-old singer, who is rarely shy about her thoughts, tweeted to her millions of followers Tuesday.

<https://dailycaller.com/2019/04/23/cher-slams-bernie-sanders-violent-felons-right-vote/>

STATES

Florida: Legislature Gets Closer to Putting a Disastrous 2018 Recount in the Past

With the dust settled on another tumultuous recount, Florida lawmakers are closer to changing election laws to hopefully avoid the problems that plagued the 2018 midterms, and reduce the number of rejected ballots in a state where literally every vote counts. Legislation that would give election supervisors more time to count mail ballots and voters more time to fix problematic signatures began moving again Tuesday in the Florida

Senate, passing out of committee after more than a month of inertia. With Florida's legislative session nearing a close, election officials who helped craft the bill are hopeful that it's on its way to becoming law.

<https://www.miamiherald.com/news/politics-government/election/article229543769.html>

Florida: Voter Registration Numbers Increase Two-Fold After Amendment 4

Amendment 4 appears to be increasing the number of Florida voters. In the three months after the constitutional amendment to restore voting rights to felons went into effect, voter rolls across the state grew at twice the rate they did four years ago, according to reports filed by county elections supervisors. The Division of Election website shows the state recorded a net increase of 16,354 voters, after 150,015 inactive voters were removed from the list between January and March 31. At this point in the election cycle four years ago, election supervisors reported a net increase of 7,030 voters after 63,985 names had been scrubbed from registration lists. New registered voters who checked the no political party box outpaced those who picked either Republican or Democratic. More than 13,424 people declared themselves to be a no party affiliated voter when they registered between January and March 31. While the faction of voters unaffiliated with any party continues to grow, the Democrats' slice of the voter registration pie continues to get smaller. In the first three months of the year, the GOP added 3,850 voters and the Democrats saw their numbers drop by 9,672. Overall, there are 13,412,976 Florida voters. The Democrats lead in voters with 37% of the total, while Republicans have a 35% share. NPAs are at 26%. Compared to four years ago, the NPAs have added two percentage points to their total while Republicans have held steady and the Democrats have dropped a point.

<https://www.tallahassee.com/story/news/politics/2019/04/23/voter-registration-numbers-increase-two-fold-after-amendment-4/3541085002/>

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North Carolina: After 9th District Scandal, Bill Would Make Paying for Absentee Ballot Request Forms a Crime

A bill filed in the House this week addresses some concerns of state elections officials in the wake of absentee ballot tampering uncovered in last fall's 9th Congressional District election. Most notably, the measure would make paying or receiving payment for a completed absentee ballot request form a Class 2 misdemeanor.

<https://www.wral.com/after-9th-district-scandal-bill-would-make-paying-for-absentee-ballot-request-forms-a-crime/18345252/>

Ohio: State Would Move to Automatic Voter Registration Under New Proposal

Ohio would join 15 other states with opt-out voter registration under a proposal spearheaded by the state's elections chief. It's part of a package of election law changes Republican Secretary of State Frank LaRose tapped a working group to hammer out within the next few months. He joined lawmakers of both parties in announcing the group Wednesday. LaRose wants voting-eligible Ohioans to be automatically registered to vote when they file taxes, renew a driver's license, get a fishing license or have some other interaction with a state agency, unless they proactively opt out. He also supports requiring state agencies to tell his office when a voter updates their address. He says the expanded information sharing would help avoid future voter purges like those civil-rights groups have unsuccessfully challenged in court.

<https://fox8.com/2019/04/25/ohio-would-move-to-automatic-voter-registration-under-new-proposal/>

Texas: Attorney General Won't Submit Voter Roll Documents to House Oversight Committee

Texas Attorney General Ken Paxton is waging a new legal battle against Democrats in Washington, refusing to turn over documents to a House committee trying to investigate his state's efforts to kick noncitizens off its voter rolls. Mr. Paxton argues that, as a constitutional officer of a sovereign state, he's immune to demands for documents other than what's legally required under

Texas law. He told House Oversight Committee Chairman Elijah Cummings earlier this month he would not comply with the panel's request.

<https://www.washingtontimes.com/news/2019/apr/23/texas-attorney-general-ken-paxton-wont-submit-vote/>

Texas: Border Mayor Charged for Voter Fraud, Accused of Rigging His Own Election

The mayor of a town located near the Texas-Mexico border was charged Thursday with rigging his own election. The Associated Press reported Thursday that Edinburg Mayor Richard Molina is charged with organized election fraud and two counts of illegal voting for allegedly running an illegal scheme to have voters, including some living in an apartment complex he owned, to falsify their official addresses to be eligible to vote for him.

<https://thehill.com/homenews/state-watch/440760-texas-border-mayor-charged-for-voter-fraud-accused-of-rigging-his-own>

Wisconsin: Another Leftist Attack on Voter ID Laws

The liberal 'Common Cause Wisconsin' group has filed suit in federal court over the state's requirement that college students prove they are who they say they are prior to casting a ballot. Wait.....someone is challenging this provision? Why? It's common sense that we should ensure that people who are trying to participate in our elections are on the up and up. None of us should want someone who is not legally allowed to vote in our elections voting in our elections. We have laws for a reason. If we don't meaningfully enforce those laws, we cannot be a legitimate nation. Common Cause is claiming that college students in Wisconsin are being unfairly singled out, because student IDs that are used for voting purposes are required to meet certain guidelines.

<https://wsau.com/blogs/the-john-muir-show/20190/another-leftist-attack-on-voter-id-laws/>

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REDISTRICTING

Michigan: Federal Court Rules MI Congressional & Legislative Maps are Unconstitutional; Must Be Redrawn

A three-judge federal panel ruled on 4/25 that Michigan's congressional and legislative maps were unconstitutionally gerrymandered for partisan gain, ordering the state Legislature to redraw at least 34 districts for the 2020 election. The decision also requires special state Senate elections to be held in 2020, instead of 2022 as scheduled. It is the latest development in a series of redistricting lawsuits in at least a dozen states. The panel of judges held a trial after rejecting newly elected Democratic Secretary of State Jocelyn Benson's attempt to settle the suit by redrawing at least 11 state House districts for the 2020 election. GOP lawmakers who intervened in the suit have said the entire proceeding should be halted until the U.S. Supreme Court rules on redistricting cases from North Carolina and Maryland. In oral arguments last month, conservative justices who hold a 5-4 majority seemed wary of getting federal judges involved in determining when electoral district maps are too partisan.

<https://www.wxyz.com/news/federal-court-rules-mi-congressional-legislative-maps-are-unconstitutional-must-be-redrawn>

Pennsylvania: State Senator Won't Have to Pay Legal Bills for PA Gerrymandering Case, Court Says

A federal appeals court is reversing a judge's decision to make a high-ranking Pennsylvania state senator personally pay \$29,000 in legal bills for lawyers who successfully challenged Pennsylvania's congressional districts as unconstitutionally gerrymandered. The 3rd U.S. Circuit Court of Appeals said Wednesday that Senate President Pro Tempore Joe Scarnati had been sued in his professional capacity, so he can't be liable personally.

<https://pittsburgh.cbslocal.com/2019/04/24/pa-senator-redistricting-case/>