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# ACRU Election Integrity Bulletin

## LEAD STORY

### **True the Vote Wins Battle Against IRS as Judge Orders Tax Agency to Pay Legal Fees in Decade-Long Fight**

True the Vote, a nonpartisan conservative election integrity group that fought a nearly decade-long battle with the IRS and other federal agencies that unfairly targeted the group, has won a major decision in federal court and shall be awarded maximum attorney fees. “This is a huge victory for every American who thinks that they can’t go up against the government and get what they deserve,” Catherine Engelbrecht, True the Vote’s founder, told Breitbart News in an exclusive interview ahead of the group’s public announcement of the victory. “This is an opportunity to make very clear that we didn’t back away and, therefore, American citizens didn’t back away—and we won.”

<https://www.breitbart.com/politics/2019/06/06/true-vote-wins-battle-irs-judge-orders-tax-agency-pay-legal-fees-decade-long-fight/>

## NATIONAL

### **WSJ: Judge Calls Accusations Over Census Serious, but Won’t Interfere in High Court Case**

A federal judge in New York on Wednesday declined to immediately address allegations that Trump administration officials lied about adding a citizenship question to the census, saying while the accusations were serious, he wouldn’t interfere with a case now before the U.S. Supreme Court. “There is no reason I can see to rush this process,” said U.S. District Judge

Jesse Furman. He asked for formal written arguments, setting deadlines after the Supreme Court is expected to rule. He said the plaintiffs, who have indicated they are seeking sanctions, should specify what would be appropriate. The hearing comes in a closely watched case about whether the government can ask about citizenship on the 2020 census, a question the high court is expected to rule on later this month. In January, Judge Furman, an Obama appointee who presided over a lower-court trial on the issue, ruled the Trump administration couldn’t include the question on the decennial survey.

<https://on.wsj.com/2WXWqvI>

## STATES

### **Arizona: AG Gets \$530,000 to Investigate Election Fraud**

Arizona’s attorney general is hiring four people dedicated to investigating alleged voter fraud amid accusations of widespread malfeasance in elections leveled without evidence by President Donald Trump and other Republicans. Republican Attorney General Mark Brnovich isn’t setting out to find support for those claims, his spokesman said, but rather to give people confidence in the outcome of elections—even if that means his new investigators find little or no wrongdoing. The budget signed this week by Republican Gov. Doug Ducey gives Brnovich \$530,000 for the project. “Consider us the ‘MythBusters’ of election fraud claims and rumors,” said Ryan Anderson, a spokesman for Brnovich. “If there is fraud, let’s investigate it, let’s prosecute it and work to eradicate it,” Anderson said. “If there’s not fraud, then let’s give the public the confidence they deserve in their elections.”

<https://www.usnews.com/news/best-states/arizona/articles/2019-06-07/arizona-ag-gets-530-000-to-investigate-election-fraud>

## California: Impasse Blocks Effort to Fix California Double Voting Loophole

Easing voting laws enacted to allow Californians to cast their ballots in a variety of ways—to the point that any friend or stranger can drop off a ballot for other voters—has coincided with a rising Democratic tide sweeping through once solidly red swaths of the state in the last two elections. But in a surprise twist, election officials in one heavily Democratic county east of San Francisco have fought for three years to fix a serious procedural flaw in the Golden State’s voting system: Voters can cast two ballots. It’s not just a hypothetical. There’s documented proof that more than a hundred voters cast at least two ballots in Contra Costa County—and at least 75 others double-voted in a nearby county—in the 2016 primary, even though the loophole isn’t so widely known that voters are purposefully and systematically exploiting it, election officials say.

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

## District of Columbia: District to Consider Expanding Voting Access to Incarcerated Felons, Vote-By-Mail

A pair of bills introduced in the D.C. Council Tuesday would expand voting options for residents, both by allowing them to cast ballots by mail and by permitting incarcerated felons to vote—a right currently offered only by Maine and Vermont. Under a bill introduced by Council member Robert White (D-At Large), D.C. residents convicted and imprisoned for committing felonies would retain their voting rights while serving sentences. While D.C. felons automatically regain the right to vote once they leave prison, a law dating back to 1955 automatically strips that right upon conviction.

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

## Florida: Former Democratic Party Boss Wants Job Overseeing Broward Elections

Mitch Ceasar, who spent decades trying to help Democrats win elections as a political party leader, now wants the job of running all elections in Broward

County. Ceasar filed paperwork on Wednesday to run for supervisor of elections in 2020.

<https://www.sun-sentinel.com/news/politics/fl-ne-mitch-ceasar-broward-elections-supervisor-20190605-ncj4ycj6qbarxdeu4ujxkof34i-story.html>

## Florida: Ron DeSantis Signs Crack Down on Constitutional Amendments, Solidifying Republican Control

Gov. Ron DeSantis on Friday approved legislation that would crack down on citizen petitions, a move that is likely to quash future ballot initiatives disliked by Republican lawmakers and corporate donors. The bill, which takes effect before the 2020 election, makes it drastically harder to collect enough signatures to make it onto voters’ ballots. And it will solidify Republican control in Tallahassee by eliminating one of the last threats to their power: the ballot box.

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

## Georgia: Abrams: ‘You Don’t Have the Right to Vote’ in Georgia

Failed Georgia gubernatorial candidate Stacey Abrams said on Thursday evening that the “right to vote” does not exist in Georgia, where she claimed people have “the opportunity to possibly think about maybe being able to participate in the right to vote.” Abrams, who refused to concede to Brian Kemp and has been declaring to various audiences in recent months that she “won” the 2018 election, told the Democratic National Committee’s African-American Leadership Council Summit in Atlanta, Georgia, that “we will never know what could have been” because polling places were closed and voter rolls were purged. Abrams, who still has not closed the door on a potential 2020 Presidential bid, recently paid off her IRS, student loan, and credit card debts and has said that she believes she could still win the nomination if she enters the race in the fall after the first round of debates.

<https://www.breitbart.com/politics/2019/06/06/abrams-you-dont-have-the-right-to-vote-in-georgia/>

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## Kentucky: County Clerks to Alison Lundergan Grimes: Stop Eroding Trust in Elections

Kentucky Secretary of State Alison Lundergan Grimes held a press conference Thursday to tell voters they should be concerned about the State Board of Elections after she found errors in the official vote totals from May's primary election. "This is much ado about nothing. Nothing happened this election that doesn't happen every election and get caught and fixed," said Fayette County Clerk Don Blevins Jr., a Democrat. "That's how it works, that's why we have the State Board of Elections and certifications." Blevins, who helped craft the legislation earlier this year that stripped Grimes of her authority over the elections board, said such mistakes are normally caught and corrected before the official vote totals are presented to the board of elections. The only difference this year, he said, is that Grimes presented the mistakes at the board meeting rather than correcting them before the meeting. The new law stripped Grimes of her position as chairwoman of the board of elections, but she remains on the board as a non-voting member and continues to be the state's chief elections officer.

<https://www.kentucky.com/news/politics-government/article231247688.html>

## Maine: State Could Be Latest to Automatically Register Voters

Maine could join 17 states that automatically register voters. The House passed Democratic Speaker Sara Gideon's bill in an 88-56 vote Wednesday. The bill faces further House and Senate votes. Maine would automatically register voters who do business with the Bureau of Motor Vehicles by 2022 under the bill, which has a one-time cost of \$140,000 federal funds. Maine's Secretary of State could also allow certain groups like private colleges to help automatically register voters. The National Conference of State Legislatures says 17 states and the District of Columbia have automatic voter registration. The bill also allows 16-year-olds to conditionally vote and enroll in a political party—down from 17. An amendment requires individuals to be notified that they can opt-out, and for registrars of voters to determine eligibility.

<https://www.mainepublic.org/post/maine-could-be-latest-state-automatically-register-voters>

## Massachusetts: State Eyes Growing List of Election Day Registration States

Advocates on Wednesday renewed a push to allow Massachusetts residents to register to vote and cast a ballot on the same day during an early voting period or on Election Day. Current law requires voters to be registered at least 20 days before an election in which they plan to vote. The Election Modernization Coalition estimates that 100,000 eligible Massachusetts voters are disenfranchised each election cycle because of the requirement to register to vote at least 20 days before an election. The coalition said the election reform would reduce the human error associated with paper forms, cut down on provisional ballots and make elections more secure.

<https://www.telegram.com/news/20190605/massachusetts-eyes-growing-list-of-election-day-registration-states>

## New Jersey: 60 Mail-In Ballots Challenged in Atlantic City's 4<sup>th</sup> Ward

A Democrat candidate for Atlantic City Council in the hotly contested 4<sup>th</sup> Ward has challenged 60 mail-in ballots in the primary election for allegedly being sent to addresses that are not residential. Surajit "Milton" Chowdhury presented his information to the Atlantic County Board of Elections Monday night, said Chairwoman Evelyn Caterson. Five Democrats and three Republicans in the ward are vying for their party's nod to be the official candidate in the November general election.

<http://bit.ly/2WpPJ1g>

*(more)*

## Oregon: Legislature Endorses Oregon's Move to National Popular Vote

Oregon is on its way to joining a movement to ignore the Electoral College in favor of the popular vote in Presidential elections. Senate Bill 870 passed the House 37-22 on Wednesday, June 5, after passing the Senate nearly two months ago. The bill joins Oregon in a group of 15 states supporting the effort to have the popular vote reflected in ballots cast in the Electoral College. The bill now goes to Gov. Kate Brown, who has supported the popular vote since her time as Secretary of State. She will sign it, a spokeswoman said. With Oregon, the states would control 196 electoral votes. The compact would only go into effect if enough states joined to reach the 270 electoral college votes needed to decide an election.

<https://pamplinmedia.com/pt/9-news/430431-338641-legislature-endorses-oregons-move-to-national-popular-vote->

## Pennsylvania: Bill Would Require Voter ID for All Elections

A state lawmaker has introduced legislation that would require Pennsylvanians to present some form of identification each and every time they vote in an election. Rep. Jeff Wheeland (R-Lycoming) said his proposal, House Bill 1579, would include photo and non-photo options such as a current utility bill, bank statement, or government check as acceptable forms of ID. Voters unable to present a valid photo ID would be required to present two forms of non-photo ID.

Wheeland said his measure would enhance the security of the electoral process. Currently in Pennsylvania, voters do not need to show identification at a polling place unless voting for the first time in an election district. The state legislature approved a voter ID law in 2012, but a Commonwealth Court ruling nullified a requirement that voters present a photo ID.

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

## Pennsylvania: Lawsuit Over Absentee Voting Claims Early Deadline is Unconstitutional

Pennsylvania has the earliest absentee ballot deadline in the country—5 p.m. on the Friday before an election. Ream didn't receive his ballot until October 31—five

days before the election, but only two before the deadline. He mailed it via the U.S. Postal Service, but it didn't arrive to officials in Perry County on time. Now, Ream and eight other voters claiming disenfranchisement are suing Pennsylvania in an attempt to give absentee voters greater leeway. The first oral arguments in the case were heard in Commonwealth Court Wednesday in Philadelphia. Petitioners want the court to push back the deadline but wouldn't yet advocate for a specific day and time. "There are 47 states that have an Election Day deadline for returning an absentee ballot, and the only other states that have a deadline earlier than that are Mississippi and Louisiana. Pennsylvania can do better than that," said Benjamin Geffen, a lawyer with the Public Interest Law Center representing the plaintiffs. A *Keystone Crossroads* story found that nearly 10,000 absentee ballots were rejected in Pennsylvania in 2018—double the amount in 2010. Historically, most rejections occur because ballots are tardy. Plaintiffs argue the current scheme is unconstitutional and requires a remedy from the courts. The defense in this case, which represents the Pennsylvania Department of State, as well as leaders of the state legislature, claimed that the court would overstep its duty by allowing the case to proceed. Defense attorney Kathleen Gallagher argued the deadline decision needs to be set by legislation agreed to by the General Assembly and the governor.

<https://bit.ly/2MG1P70>

## Texas: Fort Worth Councilwoman Asks for Election Fraud Lawsuit to be Dismissed

City Councilwoman Kelly Allen Gray is asking that a lawsuit filed against her alleging election fraud be dismissed. The lawsuit—filed by Chris Nettles, who challenged her for the District 8 council seat in May—questioned the validity of more than 200 absentee ballots in that election.

<https://www.star-telegram.com/news/local/community/fort-worth/article231251633.html>

(more)

## Texas: State Ditched Its Botched Voter Roll Review but Has Signaled It Hasn't Closed Its Criminal Inquiry

When former Secretary of State David Whitley launched a review of the Texas voter rolls for supposed noncitizens, his office marked almost 100,000 voters for two reviews—one by county officials to question their voter eligibility and another by the Texas attorney general's office for possible criminal prosecution. More than a month after a legal settlement was reached to scrap the review, Paxton's office has indicated it is keeping open the criminal investigation file it initiated based on the Secretary of State's referral. The attorney general's office has not given any public indication that it has pursued criminal charges based on the list. But it declined to answer specific questions about the fate of its investigation into the voters on the state's original list now that the review has been ditched, offering instead a more general comment on their investigations.

<http://bit.ly/2MzPSPZ>

## REDISTRICTING

### AP: Lawyers: Redistricting Expert Files Show Judges Were Misled

In litigation over North Carolina's legislative districts, Democrats and election reform advocates contend documents from a Republican redistricting expert show lawmakers misled judges about whether special elections should have been held in 2017 under new district lines. Attorneys for GOP legislators initially didn't formally attempt to limit or block access to what became over 75,000 files from more than 20 hard drives or thumb drives. Phil Strach, representing the Republican legislators, demanded last week that Common Cause and other plaintiffs stop reviewing the files and giving them to outside parties.

<https://www.wral.com/lawyers-redistricting-experts-files-show-judges-were-misled/18436555/>