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ACRU Election Integrity Bulletin

LEAD STORY

Patriot Post: Maine and Nevada Show Why the Electoral College Helps Small States, Not Red States

Last month, both Maine and Nevada did what was in the best interests of their states: They rejected bills that would have enrolled their states in the National Popular Vote Interstate Compact, an unwise effort to override the Electoral College. The National Popular Vote compact, which is an agreement between states, requires a participating state to award all of its electoral votes to the presidential candidate who receives the most votes across the nation, not to the candidate who actually won the vote in that state. In other words, states are agreeing to ignore what the majority of voters in their state decides when it comes to who they believe should be president. Under the National Popular Vote compact, the voices of states with smaller populations (like Maine and Nevada) would be quickly drowned out by states with larger populations (like California and New York). The National Popular Vote compact is unfair and is, in fact, antithetical to representative democracy.

<https://patriotpost.us/opinion/64423-maine-and-nevada-show-why-the-electoral-college-helps-small-states-not-red-states>

NATIONAL

The National Interest: Progressives Are Going to War Against the Electoral College

It seems that there isn't a prominent progressive left in America who hasn't come out in favor of abolishing the Electoral College. The Founders had differing views on

democracy, but few saw it as an unalloyed good. The current system, where states rely on a popular vote to select electors provides that balance of both federalism and democracy. It preserves federalism (and minorities' rights), protects the system against election fraud, and has produced a remarkably stable system for selecting presidents in the world's oldest constitutional republic. As Alexander Hamilton wrote in Federalist 68, the Electoral College isn't perfect, but it is "excellent." Why would we want to change now?

<https://nationalinterest.org/blog/buzz/progressives-are-going-war-against-electoral-college-69352>

Why Are Democrats Unwilling to Purge Voting Rolls?

A recent study of the voter rolls in Los Angeles County shows that the registration rolls are 112 percent indicating more voters on the rolls than they have eligible voters living in the county. A 2012 Pew Research study found that 24 million voter registrations in the U.S. showed that one out of eight are no longer valid or are significantly inaccurate. This number of registrations exceeds the populations of Florida or New York. Some Democrat critics of these numbers do not dispute that voter rolls are incorrect, but they fall back on the feeble claim conservative groups are trying to "bully" these governmental bodies to clean up their eligible voting rolls. When did seeking honest elections become "bullying"?

<https://www.dailycommercial.com/news/20190721/from-right-why-are-democrats-unwilling-to-purge-voting-rolls>

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STATES

Alabama: Merrill Removes East Alabama Election Official Over Improper Voter Registration Advice

Secretary of State John Merrill has removed an east Alabama election official from office on the recommendation of an administrative judge who found that the official improperly told prospective voters they can register to cast ballots at their business addresses. Merrill's office announced Monday that he removed Jimmy Adams from the Russell County Board of Registrars after the judge found a preponderance of the evidence showed Adams told two witnesses who did not live in Russell County during a 2017 municipal election in Phenix City that it was legal for them to vote using their business address or the address where they were employed in the county. A third witness, Russell County Registrar Judith Evans, testified she heard Adams tell people they could register to vote at business addresses.

<https://www.al.com/news/2019/07/merrill-removes-east-alabama-election-official-over-improper-voter-registration-advice.html>

ONE YEAR AGO—Florida: An 11-Year-Old Changed Election Results on a Replica State Website in Under 10 Minutes

An 11-year-old boy on Friday was able to hack into a replica of the Florida state election website and change voting results found there in under 10 minutes during the world's largest yearly hacking convention, DEFCON 26, organizers of the event said. Thousands of adult hackers attend the convention annually, while this year a group of children attempted to hack 13 imitation websites linked to voting in presidential battleground states. The boy, who was identified by DEFCON officials as Emmett Brewer, accessed a replica of the Florida secretary of state's website. He was one of about 50 children between the ages of 8 and 16 who were taking part in the so-called "DEFCON Voting Machine Hacking Village," a portion of which allowed kids the chance to manipulate party names, candidate names and vote count totals.

<https://to.pbs.org/2Mr7cW2>

Florida: Leaders Talk About Fighting Election Fraud, Then Do Nothing

As Florida refuses to act, another state joins a nationwide pact to improve voter security and reduce the risk of voter fraud. Florida has among the highest rates of in- and out-migration, and that trend could be increasing, yet it stubbornly refuses to join the Electronic Registration Information Center (ERIC). Now consider that the two states bordering Florida—Alabama and Georgia—are both members. What gives? Here's the dark secret state officials won't discuss: ERIC also promotes voter registration. Membership in ERIC requires states to do an annual outreach effort to encourage unregistered adults to join the rolls. ERIC estimated that more than 4 million Floridians are eligible, but unregistered. In a state with an unmatched record of incredibly close statewide elections, that would be a political game-changer in 2020. Republicans shamelessly see it as too great a risk, even at the expense of a program that could reduce voter fraud.

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

Nevada: Could Automatic Voter Registration Lead to Arrest?

State working to ensure it doesn't. Automatic voter registration is set to start in January 2020, and while legislators believe it's an important step in broadening voting accessibility, advocates are cautious of potential pitfalls. "What about people who do not have citizenship status? Are there safeguards in place so they don't accidentally vote?" asked an advocate with Make the Road Nevada during a Latino Legislative panel. "People might not know the repercussions and consequences of filling that paperwork out." A working group made up of representatives of the Secretary of State's office, Department of Motor Vehicles and county registrars is working to establish standards to implement automatic voter registration and has actively sought input from advocacy groups such as the ACLU and Mi Familia Vota to ensure that the law does not lead to ineligible voters unintentionally registering and being charged with election fraud.

<https://bit.ly/32UWxZb>

(more)

Nevada: Las Vegas Mayor Faces Voter Fraud Investigation

KOB's 4 Investigates Team has learned the Las Vegas mayor is facing another criminal investigation. The latest investigation is centered on accusations of voter fraud and elections tampering that date back to 2018. David Romero, who ran for Las Vegas City Council in 2018, filed a complaint with the New Mexico Secretary of State's Office, alleging Mayor Tonita Gurule-Giron committed voter fraud and tampered with the 2018 municipal elections in an effort to get her friends elected to the City Council. "She was supporting a candidate that I was running against," Romero said. "She got very involved in [the race]."

<https://bit.ly/32XC4TF>

New York: Voter Fraud Tops Concerns with Green Light Law

New York's democratic-controlled legislature passed this session what is called the "Green Light" bill, which gives undocumented immigrants access to driver's licenses. Lawmakers did so even though a Siena College poll showed that 61 percent of state voters did not support the contentious bill, and clerks across the state, including Erie and Niagara, opposed it. Advocacy groups believe as many as 265,000 illegal immigrants will apply for driver's licenses once the law goes active at the end of this year. The Fiscal Policy Institute estimates that the law will result in almost \$84 million in revenue over the first three years, and then \$6.4 million per year. The biggest concern of those interviewed by News 4 Investigates is the potential for voter fraud. After all, the driver's license applications include voter registration sections. "It is very difficult to say it is an intentional misrepresentation when the person filling out the form may have just innocently continued along the application believing he is still applying for a driver's license," said Ralph Mohr, the Republican elections commissioner for Erie County.

<https://www.wivb.com/news/voter-fraud-tops-concerns-with-green-light-law/>

North Carolina: Four Arrested for Voter Fraud in Hoke County

Four felons in Hoke County have been charged with voting illegally in the 2016 election. According to the sheriff's office, Lanisha Bratcher-Bain, Richard Daniels Jr., Tullous Burrow, and Treqwon Covington were each

charged with voter fraud. It is alleged that the four convicted felons cast votes in the Hoke County general election while each of them was serving an active felony sentence on felony probation.

<https://bit.ly/2Ytp5P>

North Carolina: Judges Rule Voter ID Law Can Be Implemented

A three-judge panel ruled Friday that voter ID implementation can move forward in North Carolina, dismissing all but one of six claims in a lawsuit challenging legislation implementing a constitutional amendment approved by voters last Fall. While the judges did not completely dismiss the case, the court won't stop IDs from being required in upcoming elections as the case continues forward. The case, *Holmes v. Moore*, was a state court challenge brought by the Southern Coalition for Social Justice in Wake County. Voters last November passed a constitutional amendment requiring voter ID. The court ruled Friday that the six voters challenging the resulting law presented enough evidence on one claim to keep going but denied their request for a preliminary injunction, which would have blocked implementation of the law.

<https://bit.ly/2Y94AD7>

Texas: Advocacy Group Worries Texas' Lack of Confirming Citizenship of Registered Voters Could Affect 2020 Election

With the 2020 election around the corner, noncitizens registered to vote in Texas remains an issue after a Republican-controlled legislature failed to pass election reform bills this year after some lawmakers promised to do so. A Dallas-based political advocacy organization said that's a problem. "Real meddling that could affect the outcome of the 2020 election will come from vote harvesters and illegally registered voters canceling the votes of citizens," Direct Action Texas says. Failure to pass election integrity legislation came after the state Secretary of State's Office questioned the citizenship status of 95,000 registered voters in the state after a yearlong investigation. About 58,000 of them voted in one or more Texas elections, Secretary of State David Whitley said. The exact number of noncitizens registered to vote or who illegally voted is unknown.

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

Texas: School Board Election Voided Over Vote Fraud Issues

The Hidalgo school district must hold another board election after a Hidalgo County judge declared the November contest was tainted by mail-in ballot fraud. Mentor Cantu filed a lawsuit in May, alleging incumbent trustee Ben Arjona beat him because “numerous voters cast ballots with illegal assistance, including those using mail-in ballots.” Cantu said the help came from Arjona supporters. The tipoff was a lopsided margin of mail-in votes for Arjona, who claimed 79 percent of those ballots while securing barely 50 percent in the regular and early voting at the polls. Arjona won the election by 43 votes. State District Judge Federico Hinojosa Jr. last week voided the November election and ordered a new election this November for the South Texas school district. Hinojosa said that 45 voters cast illegal mail-in votes. Among the improprieties he found were improper assistance with the ballots and “coaching,” or suggesting who people should vote for. Another seven voters, the judge said, were not residents of the Hidalgo school district and their votes cannot be counted.

<https://texasmonitor.org/south-texas-school-board-election-voided-over-vote-fraud-issues/>

REDISTRICTING

California: Two Bills Attempt to Make Redistricting More ‘Fair’

With last month’s Supreme Court decision to not interfere with political gerrymandering of political districts, many people expect states to take steps to ensure that their ruling parties stay in power by drawing congressional districts that benefit them. The 5-4 decision claimed that partisan gerrymandering did not belong in the federal courts. The court’s conservative majority said that voters and elected officials should be the decision makers in these types of political disputes. California, on the other hand, is taking an alternative route. Nearly a decade ago, the California Citizens Redistricting Commission was established to attempt to create a bipartisan, fair drawing of the state’s congressional, senate, assembly, and board of equalization districts. The state commission consists of 14 members, with five Republican, five Democratic, and four from neither major party. Now, the state is going extra lengths to ensure that gerrymandering doesn’t

become an issue at the local level. Democratic lawmakers are pushing forward two pieces of legislation, AB 849 and SB 139, to regulate how cities and counties draw their council and supervisory maps.

https://www.theepochtimes.com/two-california-bills-attempt-to-make-redistricting-more-fair_3011965.html

Texas: Federal Judges Deny Request to Put Texas Back Under Federal Supervision for Redistricting

After a years-long fight over Texas’ political maps, a panel of federal judges on Wednesday denied the requests of voters of color, civil rights groups and Democratic lawmakers to put Texas back under federal supervision of its redistricting. The judges found that Texas’ unconstitutional actions in 2011—purposefully diluting the voting strength of voters of color in the Texas House map and in several congressional districts—were sufficient to require Texas to run any future changes by the court to ensure they weren’t discriminatory. But they ultimately ruled against imposing that federal oversight because of the U.S. Supreme Court’s ruling last year in which it upheld the state’s current maps, which were redrawn in 2013 after the 2011 maps were challenged in court. “Although the Court’s findings of intentional racial discrimination in violation of the Fourteenth Amendment with regard to the 2011 plans are sufficient to trigger bail-in, and although the court has serious concerns about the state’s past conduct, the various requests for discretionary relief ... are hereby denied,” the judges wrote in their order.

<https://www.ktsa.com/federal-judges-deny-request-to-put-texas-back-under-federal-supervision-for-redistricting/>