



September 5, 2019

# ACRU Election Integrity Bulletin

## LEAD STORIES

### It Takes a Lawsuit to Clean a Village

Election officials are required by state and federal law to clear voter rolls of voters who are deceased, ineligible to vote or moved to another jurisdiction. Voter rolls get messy quickly when officials appointed to clean them shirk their duties. Such was the case in Florida's Broward County where it took litigation from the American Civil Rights Union (ACRU) and harsh action by the state executive to force bureaucrats to do their jobs. As the country moves into the 2020 elections there is much to be learned from the Broward story. After significant ballot mismanagement by Broward County in the 2016 national election, ACRU was ahead of the curve in suing election supervisor Dr. Brenda Snipes for failing to keep accurate voter rolls. She was later sued successfully by Democrats for illegally throwing away ballots and by the GOP for opening mail-in ballots in secret. ACRU's lawsuit cited that in Broward County not a single person—including the deceased—was removed from voter rolls between 2013 and 2015 and a remarkable 97 percent of county residents voted in 2016, well over the national average of 55 percent.

<https://townhall.com/columnists/loriroman/2019/08/30/it-takes-a-lawsuit-to-clean-a-village-n2552439>

## NATIONAL

### New York Sun: The Electoral College Angst

As we hurdle toward the 2020 election, some 15 states have joined the National Popular Vote Interstate Compact. They would use in a new way the constitutional system in which each state chooses in November electors to meet in December to decide who will be president. This is not an occasion for panic. The states that have joined the popular vote compact account for only 190 electoral votes. The compact doesn't go into effect until it has enough states with the 270 electoral votes needed to decide the presidency. All it would take now, though, is a few red states turning blue enough to join the compact, and—presto—we'd elect our presidents by the national popular vote. *The New York Sun* is against it.

<https://www.nysun.com/editorials/the-electoral-college-angst/90816/>

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## Washington Post: The Electoral College Is Here to Stay

Because in 2000 and 2016 the Democratic candidate won the popular vote but not the presidency, many Democrats favor amending the Constitution to replace the electoral vote system with the election of presidents by direct popular vote. Politically, this is almost impossible, for the reason many Democrats favor it: The electoral vote system enhances the political weight of the less populous states, which are disproportionately red. Hence the National Popular Vote gimmick. By joining the NPV compact, each state agrees that its electoral votes will be cast for the winner of the national popular vote, even if a different candidate wins the popular vote in the state. The compact would come alive when the compacting states have, cumulatively, at least 270 electoral votes. So far, 15 states and the District of Columbia, with a combined total of 196 electoral votes, have enacted NPV.

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

## LifeZette: Stacey Abrams Joins Other Democrats in Wanting to Wipe Out the Electoral College

Democrats have been talking about getting rid of the Electoral College ever since President Donald Trump won the 2016 presidential election—and now one of its losing candidates in 2018 is joining the fight. Failed gubernatorial candidate Stacey Abrams of Georgia is once again in the headlines for pushing the narrative of destroying the Electoral College during presidential elections.

<https://bit.ly/2m37BCL>

## STATES

### Colorado: Drive to Repeal National Popular Vote Compact Makes 2020 Ballot

A citizen initiative to repeal state Senate Bill 42, the national popular vote law, has been approved for the 2020 ballot, the Secretary of State's Office announced Thursday. Senate Bill 42 would pledge the state's nine presidential electoral votes to the winner of the national popular vote rather than to the winner of the state's

popular vote for president. Opponents have claimed that such a move would dilute Colorado's vote, particularly for rural communities, and see it as a challenge to President Donald Trump, who won the Electoral College vote in 2016 but lost the popular contest by some 3 million votes.

<https://bit.ly/2m0VAh5>

### Florida: State Supreme Court Set to Clarify Voting Rights for Felons

The Florida Supreme Court has agreed to clarify whether the state can continue restricting voting privileges to felons who have unpaid fines and fees. Gov. Ron DeSantis had asked the high court for an advisory opinion amid legal challenges to a new state law implementing the restoration of voting rights for former felons. Voters last year overwhelmingly approved a constitutional amendment restoring voting rights to as many as 1.4 million felons who have completed their sentences.

<https://bit.ly/2m2gvQU>

### Maine: Conservative Group Pushing Mills to Veto bill for Ranked-Choice Primary

Conservative group pushing Mills to veto bill for ranked-choice primary The Maine Heritage Policy Center sends the governor a letter making its case against legislation to extend the state's ranked-choice voting system to the presidential primary in March. A leading conservative think tank is pushing Democratic Gov. Janet Mills to veto a bill passed by the state Senate this week to expand ranked choice voting to presidential primaries. If Mills signs the bill or it becomes law without her signature, Maine will be the seventh state to use ranked choice voting in the upcoming Democratic presidential primary, joining Iowa, Nevada, Hawaii, Alaska, Kansas and Wyoming. A spokesman for Mills said Thursday that she was still considering the legislation. In a letter to Mills, the Maine Heritage Policy Center points to its own analysis of ranked-choice voting in 96 jurisdictions in the United States as evidence that the system doesn't work the way proponents say it does.

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

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## Maryland: Judge Rules that State Must Hand Over Montgomery County Election Records

A federal judge has ordered the state of Maryland to release a list of Montgomery County voters, as requested by a nonprofit group reviewing various jurisdictions' records for accuracy. U.S. District Judge Ellen Lipton Hollander ruled on Aug. 8 that the group, Judicial Watch, must be given a list of voters, along with addresses, voting status and recent voting activity. She held off on ruling whether each voter's date of birth must be released, too.

<https://bethesdamagazine.com/bethesda-beat/government/judge-rules-that-state-must-hand-over-montgomery-county-election-records/>

## Mississippi: Six Absentee Voters Claim to Live with Candidate Gibbs-Gray

Six adults claiming to live at candidate Kegdra Gibbs-Gray's home at 2514 22<sup>nd</sup> Ave. N. cast absentee ballots for the Aug. 20 special election for Ward 4 Columbus councilman. All six—five of whose last names are Gibbs—registered to vote at that address between July 14 and Aug. 6, according to records obtained from the city registrar's office. Before that, their registered addresses were all outside Ward 4. This has led District 5 Lowndes County Supervisor Leroy Brooks to file a complaint with the Mississippi Secretary of State's Office asking for an investigation into possible voter fraud in the election. While Brooks is a Ward 5 resident, his supervisor district includes parts of Ward 4.

<https://www.cdispatch.com/news/article.asp?aid=75708>

## New Jersey: Andrzejczak Blocks Amendment to Prevent Voter Fraud

State Senate Candidate Mike Testa, Jr. (LD-1) issued the following statement after Interim Senator Bob Andrzejczak voted to table an amendment which would increase penalties for voter fraud in New Jersey's elections: "Once again, Democrat Bob Andrzejczak put the agenda of his liberal party bosses ahead of what is best for his constituents and all citizens of the State of New Jersey by voting to block an amendment that would have increased penalties for those who commit voter fraud," Testa said. Under current New Jersey law, voting violations is a third-degree crime. During yesterday's

Senate voting session, Senator Joe Pennacchio introduced an amendment which would increase penalties to a second-degree crime. Sen. Pennacchio's effort to protect the integrity of our election process was immediately blocked by Senate Democrats, including by Senator Andrzejczak.

<https://bit.ly/2m2VLbT>

## North Carolina: Bill Addressing Ballot 'Harvesting' Gets initial NC House OK

Stricter rules for requesting mail-in absentee ballots in North Carolina and more severe crimes for people who collect them have received tentative approval in the state House. The bill voted for by a near-unanimous chamber on Tuesday also would reinstate permanently the extension of early in-person voting until the last Saturday before each election. The measure largely addresses problems that surfaced during a 2018 congressional race involving "harvesting" of absentee ballots by political operatives. State election officials ordered a new 9<sup>th</sup> Congressional District election.

<https://www.wral.com/bill-addressing-ballot-harvesting-gets-initial-nc-house-ok/18596064/>

## North Carolina: State BOE to Hold Hearing Sept. 5 on Elections Complaints

Two of the three Democratic members of the Robeson County Board of Elections face the threat of removal when the State Board of Elections meets on Sept. 5. On that day the state board's members will hear complaints filed against county board Chairperson Tiffany Peguise-Powers and member Karen Nance, according to an agenda provided by the state board. The complaints were filed Aug. 20 by Shannon resident Julius Locklear. Locklear says in his complaints that Powers and Nance violated state law and state board policy against public comments or actions and social media postings that can be interpreted as an endorsement of a political candidate.

<https://www.robesonian.com/news/126681/state-boe-to-hold-hearing-sept-5-on-elections-complaints>

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## REDISTRICTING

### **Newsmax: Don't Take Obama's Partisan Gerrymandering Fight Seriously**

Former President Barack Obama's anti-gerrymandering initiative, which has come under fire from Republicans who say he only wants changes that benefit Democrats, shouldn't be taken seriously "if he tries to posture that it's about good government," former House Speaker Newt Gingrich said Wednesday.

<https://www.newsmax.com/newsfront/newt-gingrich-obama-gerrymandering/2019/08/28/id/930303/>

### **Fox News: Obama Gets Political Again, Launches Initiative to Fight Gerrymandering**

Former President Barack Obama is back in the political arena, announcing a new initiative to combat partisan gerrymandering—though Republicans say the efforts are really about helping Democrats. The "Redistricting U" program, which is part of the "All on the Line" campaign, aims to recruit and train individuals to take up the fight against drawing congressional districts based on partisan interests.

<https://www.foxnews.com/politics/obama-gets-political-again-launches-initiative-to-fight-gerrymandering>