



Fighting for Voting Rights and a Democratic United States

DEMOCRATIC LAW BRIEFS

A Publication of the DC Chapter of the National Lawyers Council

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WELCOME TO DEMOCRATIC LAW BRIEFS, the official newsletter of the DC Chapter of the National Lawyers Council. If you would like to be on our mailing list, please sign up at <http://www.democraticlawyers.org/join.php> or e-mail your name, title, company, addresses, and phone numbers to signup@democraticlawyers.org. We'll happily add you to the list.

EVENTS

Members, Readers, Friends!

Please let us know of any events that you think should be posted here.

AALDEF LEGAL TRAININGS



AALDEF is providing a series of free legal trainings in multiple cities to assist Asian American community-based organizations prepare for summer voter registration drives and the fall Presidential Elections. Attorneys will provide legal information under local, state, and federal laws for community groups about:

- Legal responsibilities in conducting voter registration drives
- Legal rules regarding electoral and voter education activities for 501(c)(3)s
- Voters' rights on Election Day regarding interpreters, provisional ballots, and remedies to problems.

Who: Asian American Legal Defense and Education Fund in collaboration with APIA Vote • National Asian Pacific Americans Women's Forum • National Korean American Service and Education Consortium • Organization of Chinese Americans • Orrick, Herrington & Sutcliffe LLP South Asian Americans Leading Together

What: Free Workshop on Voters' Rights, Conducting Voter Registration, and Election Rules for Nonprofits and 501(c)3s

Where: Orrick, Herrington & Sutcliffe LLP; 1152 15th Street, NW (Between L and M)
(Series also includes trainings in NYC, Philadelphia, Boston, and Newark)

When: Wednesday, May 21, 2008
12 Noon - 1:30 PM and 6:30 - 8:00 PM

RSVP with name, organizational affiliation, address, phone, and email address to:
212.966.5932 x200 or votingrights@aaldef.org.

For more information contact: gmagpantay@aaldef.org, 212-966-5932

FEDERAL LEGISLATIVE TRACKING

New Feature! As a service to our readers we have added a new feature to the new letter: A federal legislative tracking feature - whereby we will begin listing of voter rights/election-related bills (including DC voting rights) that have been introduced in the U.S. Congress, nominations, hearings, and updates on activity related to pending legislation (including references to any news articles)

*(please let Erika know if you'd like to undertake this little task -
e-mail erika@democraticlawyers.org)*

NEW BILLS

H.R.5971: To require that ballots used in Federal elections be generally printed only in English and to amend the Voting Rights Act of 1965 to modify the requirement that certain jurisdictions provide ballots and other voting materials in languages other than English, and for other purposes.

Sponsor: Rep Heller, Dean [NV-2] (introduced 5/6/2008) *Cosponsors* (None)
Latest Major Action: 5/6/2008 Referred to House committee. Status: Referred to the Committee on House Administration, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S.2959: A bill to amend the Help America Vote Act of 2002 to require States to provide for election day registration.

Sponsor: *Sen Feingold, Russell D.* [WI] (introduced 5/1/2008) *Cosponsors* (3)

Related Bills: *H.R.5946*

Latest Major Action: 5/1/2008 Referred to Senate committee. Status: Read twice and referred to the Committee on Rules and Administration.

H.R. 5946: To amend the Help America Vote Act of 2002 to require States to provide for election day registration.

Sponsor: *Rep Ellison, Keith* [MN-5] (introduced 5/1/2008) *Cosponsors* (15)

Related Bills: *S.2959*

Latest Major Action: 5/1/2008 Referred to House committee. Status: Referred to the House Committee on House Administration

UPDATES

The House Administration Committee will mark up **HR 5803**, to direct the Election Assistance Commission to establish a program to make grants to participating states and units of local government which will administer the regularly scheduled general election for federal office held in November 2008 for carrying out a program to make backup paper ballots available in the case of the failure of a voting system or voting equipment in the election or some other emergency situation. 6/7/08, 11 am, 1310 Longworth.

NOMINATIONS

On 6/6/08 the Senate received the following nominations for the Federal Election Committee: *Cynthia L. Bauerly* of Minnesota; *Caroline C. Hunter* of Florida; and *Donald F. McGahn* of the District of Columbia.

On 6/6/08 the Senate received notification that the following nominations were withdrawn from consideration for the Federal Election Committee: *David M. Mason* of Virginia; and *Robert D. Lenhard* from Maryland.

VOTING RIGHTS NEWS

VOTER IDENTIFICATION

Missouri - The battle over voting rights will expand this week as lawmakers in Missouri are expected to support a proposed constitutional amendment to enable election officials to require proof of citizenship from anyone registering to vote. The measure would allow far more rigorous demands than the voter ID requirement recently upheld by the Supreme Court, in which voters had to prove their identity with a government-issued card. Read about the battle here:

http://www.nytimes.com/2008/05/12/us/politics/12vote.html?_r=1&adxnnl=1&partner=rssnyt&emc=rss&adxnlnx=1210622602-xOHAfD0F/q2usaMKXec6Fw&oref=slogin

INDIANA - The Supreme Court may think that Indiana's voter ID law does not prevent anyone from voting but about a dozen nouns in South Bend know

differently. The nuns, all in their 80s or 90s, were turned away at the polls, by another member of their order who knew them all personally, because they did not have the requisite government issued photo ID. Read more here:
<http://talkingpointsmemo.com/archives/193490.php>

OKLAHOMA - Bill to require voters to show identification at polling sites was defeated along party lines Tuesday in the *Oklahoma Senate*. *Sen. John Ford, R-Bartlesville*, said he would seek another vote on the measure, if he can round up the 25th vote needed for approval. The vote was 24-23 for the bill, but it takes 25 votes to pass a bill in the 48-member Senate. All 24 Republicans supported the plan, while 23 Democrats voted against it. Additional details can be found here:
<http://newsok.com/voter-id-bill-fails-to-pass/article/3239878/>

National - The decision in the Indiana voter ID case may be spending time in the headlines, but in-person voter fraud is not the only type of irregularity that can affect election outcomes. A new analysis from the Election Reform Project looks at the recent presidential primary in New Jersey, while a report from the Maryland Attorney General examines issues that state had in its 2006 primary. Read more here:
<http://www.electionreformproject.org/?emc=lm&m=215320&l=23&v=421197>

VOTER REGISTRATION

Washington, DC - In early 2004, a prominent California Democrat walked onto Department of Veterans Affairs property to register veterans to vote. The VA kicked him out, saying it barred "partisan" political activity. Months later, people working for Republicans walked onto the same campus and successfully registered 42 voters. Mistake or proof of bias? Today, as the presidential election looms, the VA is fighting vigorously to control access for voter registration purposes to the tens of thousands of veterans who reside at VA facilities around the nation. Just this week, the VA imposed a policy prohibiting all voter registration drives on its property by anyone, partisan or not, a rule that critics say may violate the constitutional rights of veterans. Read about this shabby treatment of Veterans here:
<http://www.tampabay.com/news/military/veterans/article497828.ece>

DC DLC BRAIN TEASERS

DC DLC BRAIN TEASERS - Each week we have a puzzle or a brain teaser or a trivia question for you to answer. You can e-mail your answers to editors@democraticlawyers.org. Please put "Brain Teaser" in the subject line. We

will run the names of all those who get the right/best answer in the following issue.

THIS WEEK'S QUESTION

Who was the first President to be born in a hospital?

LAST WEEK'S QUESTION

Who was the first President born west of the Mississippi?

ANSWER

Herbert Hoover was the first president born west of the Mississippi. We did not have any correct answers last week. Good luck this week!

WHO ARE WE?

The DC Democratic Lawyers Council (DC DLC) is a group of Democratic lawyers, affiliated with the National Lawyers Council of the Democratic National Committee, volunteering their legal skills to strengthen the democratic process. We work to ensure that every eligible citizen is allowed to vote and that every vote cast in every election is counted. The DC DLC was formed out of a concern that voting rights are increasingly under attack in our country and an understanding that now is the time to put the skills of Democratic attorneys to work to ensure that every citizen's right to vote will be upheld in future elections. Our activities include advocating for better laws and regulations and initiating litigation when necessary to guarantee the fairness of and the widest participation in the U.S. electoral process.

The Democratic Lawyers Council was founded by attorneys who have served on the front line of election law for the Democratic Party in numerous elections, including most recently, the 2000 and 2004 presidential elections. The lesson learned from the recount debacle was that post-election day litigation will hardly ever fix any election injustice. Given that, many of the recount lawyers, particularly those based in Florida, engineered a comprehensive voter protection program to confront and deal with voter and election issues before Election Day. One aspect of this effort was the recruitment of 3200 lawyers who, after receiving specialized election law and procedures training, worked inside the polls in key precincts in Florida on Election Day to assure that every citizen who showed up to vote, was able to do so.

Our mission statement is simple:

We are a coalition of lawyers and others dedicated to fostering universal participation and trust in the electoral process by ensuring that:

- All eligible persons can register to vote easily;
- All registered voters are able to vote simply, fairly, and without intimidation; and
- All votes are counted accurately and all voting systems are open and reliable.

We encourage you to send us an e-mail if you would like more information or are interested in becoming a part of our organization.

Please e-mail us at erika@democraticlawyers.org.

COMMITTEES

We are a volunteer-driven and volunteer-dependent organization. Please lend your time, talents, and effort to helping to solve important voting rights issues. Please click on <http://www.democraticlawyers.org/join.php> and sign up for our committees, which include:

DC Community Outreach Committee

Co-Chairs, David Goldblatt (david@democraticlawyers.org), Curtis LeGeyt (curtis@democraticlawyers.org) & Candice Jones (candice@democraticlawyers.org)

This committee is responsible for working with community leaders and Democratic elected officials in the District of Columbia on important voting rights initiatives.

Building the National Lawyers Council Committee

Chair, Rita Aguilar (rita@democraticlawyers.org)

This committee is responsible for working with the National Lawyers Council to build chapters throughout the country, as well as developing “model” chapter and voting rights materials.

State Legislative Watch Team

Chair, Molly Askin (molly@democraticlawyers.org)

This committee is responsible for monitoring state election law activity, e.g., voter-ID, voting systems and election administration legislation, and assisting with related state advocacy efforts.

Federal Legislation Committee

Chair, Dick Meltzer (dick@democraticlawyers.org)

This committee is responsible for monitoring federal election law activity, e.g., HAVA and UOCAVA, educating membership and helping push for voting rights reform at the federal level.

Redistricting & Voting Rights Act Committee

Chair, Jeff Wice (jmwice@democraticlawyers.org)

This committee is responsible for preparing Democrats for the next redistricting cycle (2010), e.g., reviewing case law from the 2000 cycle, and monitoring Voting Rights Act developments.

Ex-Felon Voting Rights Committee

Chair, John Shuman (john@democraticlawyers.org)

This committee is responsible for helping non-incarcerated ex-offenders secure a right to vote in federal elections, e.g., congressional outreach, to encourage successful re-entry of these citizens.

Events Committee

Chair, Jordan Usdan (jordan@democraticlawyers.org)

This committee is responsible for organizing year-round activities. These can include professional networking opportunities, guest speaker events, assisting with National Lawyers Council events, and other social and political activities.

In addition, please consider participating in leadership positions and organizational committees, which include:

- Steering Committee
- Event Planning
- Recruiting and Publicity
- Election/Campaign Finance Law Compliance
- Democratic Party/Candidate Outreach
- Fundraising

[READING SOMEONE ELSE'S COPY???](#)

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<http://www.democraticlawyers.org/join.php> or e-mail your name, title, company, addresses, and phone numbers to signup@democraticlawyers.org.

[GOT NEWS?](#)

If you have news for Democratic Law Briefs, we'd love to get it. E-mail your news, ideas, rumors and thoughts to Paul Roath and Arielle Harry-Bess at

editors@democraticlawyers.org. We reserve the right to use, not use, edit, paraphrase, or otherwise play with your submissions.

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