



*Fighting for Voting Rights and a Democratic United States*

## **DEMOCRATIC LAW BRIEFS**

A Publication of the DC Chapter of the National Lawyers Council

*Volume 4 Issue 36, September 30, 2008*

**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](mailto:signup@democraticlawyers.org). We'll happily add you to the list.

***The election is in 35 days!!!***

## **HELP WANTED**

**VA-DC-MD LAWYERS AND LAW STUDENTS -  
WE NEED YOU ON ELECTION DAY!!!**



Change only happens when people enter the political process and make their voices heard. Senator Barack Obama's Campaign for Change in Virginia is assembling a legion of attorneys and law students to help promote and protect the rights of each and every voter in the Commonwealth on Election Day, November 4th. You are invited to be a part of this historic effort. Please put your legal skills to work for change on the front lines of a battleground state by clicking on <http://my.barackobama.com/counselforchange>.

*N.B.* For those of you who have expressed a generous willingness to travel to battleground states including Virginia (thank you!), you will be contacted directly by the respective state counsel/voter protection coordinators shortly. For DC residents who registered for Counsel for Change and did not indicate a preference to travel but might be available to volunteer in Virginia on Election Day or for the canvass, please contact Erika Moritsugu at [erika@democraticlawyers.org](mailto:erika@democraticlawyers.org).

### DC TO VA VICTORY TEAMS

The Virginia Campaign for Change, D.C. for Obama, YLFO, and others are teaming up to get volunteers down to Virginia to canvass between now and Election Day. This race will be close, and we need to do all we can to turn Virginia blue. We have seven teams focusing on different areas in Northern Virginia. Teams will get to know a precinct and make repeat visits to one area. To join, please visit [http://rs6.net/tn.jsp?e=001mq1M0U\\_4cwZalYOZXIJ2xOeMFiRRJFVcsf-CrqZDYm2I1knpvKC8HLv3pWWXTXwbgt7MM4jO3OsMi62Q7htBrEhy1SLMfJuA50BRTUiUJTw4ACnOZJwYXMfusjAW6AJ1jyK6MSC8rHpbO-zZEzT484ugsnFGSAye](http://rs6.net/tn.jsp?e=001mq1M0U_4cwZalYOZXIJ2xOeMFiRRJFVcsf-CrqZDYm2I1knpvKC8HLv3pWWXTXwbgt7MM4jO3OsMi62Q7htBrEhy1SLMfJuA50BRTUiUJTw4ACnOZJwYXMfusjAW6AJ1jyK6MSC8rHpbO-zZEzT484ugsnFGSAye).

Also, if you would like to help fund this program through a pledge of an in-kind contribution to go towards buses or vans, please contact Adam Barr ([albarr@gmail.com](mailto:albarr@gmail.com)).

### YLFO



### POLL MONITOR CALLS

We will be assisting the campaign by calling attorneys in swing states to encourage them to volunteer to be poll monitors. This will involve a commitment of 2-3 hours of calls over the span of a week. Please contact Jamie at [jamie@democraticlawyers.org](mailto:jamie@democraticlawyers.org) if interested.

## PHONE BANKING

We are starting a phone banking effort in D.C. and are looking for volunteers to help organize the effort and spaces to hold phone banks, such as offices. Please email Tree Martschink at [treemartschink@gmail.com](mailto:treemartschink@gmail.com) if interested.

Join YLFO for our weekly phone bank Wednesdays from 6-9 pm at the D.C. office (803 Florida Ave NW, near U St Metro). Email Tree ([treemartschink@gmail.com](mailto:treemartschink@gmail.com)) to RSVP

## VOLUNTEER ACTIVITIES

After the success of last week's canvass, we are headed back to Springfield this weekend! Meet at 7016 Commerce St. at 10 am. It is not metro accessible, but we can arrange carpools or pickups from the metro. Contact Clara ([cvondrich@gmail.com](mailto:cvondrich@gmail.com)) to RSVP.

Please make an effort to reach out to lawyers and law students you know in swing states to encourage them to volunteer for election protection. The more eyes we have on the process, the fairer it will be. Have them sign up [here](#).

If you are willing to commit to recruiting 10 friends and co-workers to sign up for election protection, join YLFO's Promote the Vote Task Force. We will keep you posted with election protection updates and will include your name in our report to the campaign. Contact Jamie at [jamie@democraticlawyers.org](mailto:jamie@democraticlawyers.org) to join.

## EVENTS

### PODESTA, BOWMAN, AND VP DEBATE PARTY

**Who:** John D. Podesta, Former Chief of Staff to President William J. Clinton, and John Bowman, Washington, D.C. State Director, Obama for America

**What:** A party to support Obama and Biden in 2008 followed by a VP Debate Viewing Party (Biden v. Palin on the big screen)

**Where:** Comet Ping Pong, 5037 Connecticut Ave, NW

**When:** Thursday, October 2, at 7:00 p.m.

Contribution: Requested minimum donation: \$100.  
To make an online donation, click [here](#).

Attendees must RSVP to Karen Graziani [kpgraz@gmail.com](mailto:kpgraz@gmail.com) or Mike Gallant [mgallant@rcn.com](mailto:mgallant@rcn.com) so we have your name at the door. In your email, please include:

- Your name(s);
- How your donation will be made: online (preferred, see link above) or by check (campaign requires attached form); and
- The name of person who sent you this invitation.

### VP DEBATE PARTY

**Who:** YLFO, Foreign Policy Professionals for Obama, and GW Law for Obama

**What:** Watch the VP Debate with fellow supporters!  
Featuring 12 plasma TVs for easy viewing

**Where:** Porters, 1207 19th St, NW

**When:** Thursday, October 2, at 7 p.m.

Contribution: \$15 suggested donation; \$10 for students

### ENERGY SECURITY AND POLICY PANEL

**Who:** YLFO, Foreign Policy Professionals for Obama, and Clean Tech for Obama, Bob Sussman, former Deputy Administrator of EPA, Charles Ebinger, the Brookings Institution, and other energy policy experts

**Where:** National Press Club, 529 14th St. NW

**When:** Monday, October 6, 7 p.m.

Contribution: Tickets - \$100; Government/public interest - \$50; Students - \$25 Hosts - \$500 (raise or write); contact Elia ([eboggia@gmail.com](mailto:eboggia@gmail.com)) to host. Donate and RSVP [here](#).

### LITERARY EVENT

**Who:** YLFO and Young Jewish Professionals for Obama invite you to join Jewish literary stars Michael Chabon, Nathan Englander, and Ayelet Waldman for readings and conversation.

**Where:** Carnegie Institution, 1530 P Street NW

**When:** Monday, October 6, 7 pm; VIP reception - 6 p.

Contribution: Ticket: \$360; Young professional: \$180  
Host: \$1,000 (raise or write); Co-chair: \$5,000 (raise or write)

Donate [here](#). For info and to RSVP contact [DCLiteraryEventForObama@gmail.com](mailto:DCLiteraryEventForObama@gmail.com).

## PROTECTING THE VOTE: A NATIONAL CONVERSATION ON VOTING RIGHTS IN THE 2008 ELECTION

**Who:** American Constitution Society

**What:** This election cycle has seen a surge of voter registration. While this influx presents an opportunity for expanding our voting population, there is also the possibility that these new registrants and others will be disenfranchised by legal and administrative hurdles, technological errors and misinformation.

This program will look at the legal issues that will likely affect voting rights this year, including voter identification laws, and laws aimed at ending deceptive tactics and voter intimidation. Panelist will discuss these and other potential problems that threaten to disenfranchise the most vulnerable voters and what we can do to make sure every vote counts.

This ACS panel will feature:

- Dahlia Lithwick, Senior Editor, Slate.com
- Kristen Clarke, Assistant Counsel in the Political Participation Group, NAACP Legal Defense Fund
- Nina Perales, Southwest Regional Counsel, Mexican American Legal Defense and Educational Fund (MALDEF)
- Wendy Weiser, Deputy Director for Democracy, Brennan Center for Justice
- Jonah Goldman, Director, National Campaign for Fair Elections in the Lawyers' Committee for Civil Rights Under Law's Voting Rights

**Where:** American University Washington College of Law, Room 603  
4801 Massachusetts Avenue NW, Washington, DC 20016

**When:** Tuesday, October 7, 12:00 p.m. -1:30 p.m.  
A light lunch will be served at 11:45 a.m.

Register to attend the event at American University at <http://www.acslaw.org/ProtecttheVote>

You can view streaming video of the program on any computer, which will be available on the ACS website at [www.ACSLaw.org/ProtecttheVote](http://www.ACSLaw.org/ProtecttheVote).

### HEALTH CARE POLICY DISCUSSION PANEL

**Who:** Join YLFO for a discussion of Senator Obama's health care policy proposals, featuring former Senate Majority Leader Tom Daschle, and other health care policy experts.

**Where:** To be announced

**When:** Monday, October 20, 6:00 pm.

Contribution: Tickets -\$150; public interest/government: \$75; students: \$50 RSVP and donate [here](#).

Hosts: Raise or write \$900; contact Tom ([tom@groupmagellan.com](mailto:tom@groupmagellan.com)) to host

## VOTING RIGHTS NEWS

### VOTER PURGE

**Bucks County, PA** - Until last fall, 74-year-old Kathleen Prescod of Bensalem never missed voting in a general election. That streak ended after the retired hospital worker's polling place was moved from her apartment complex to a building a mile away. She blames her absence on a mixture of physical infirmities and political connivance. Bad knee, bad back and bad faith, she says, on the part of Bucks County officials. Prescod, who is black, is the lead plaintiff in a federal voting-rights lawsuit scheduled to be heard in Philadelphia starting September 29. The suit accuses Republican officials of deliberately suppressing the turnout of minority and foreign-born voters - many of them poor, elderly or frail - by moving their decades-old polling place to a less accessible site. Read the story here:

<http://www.philly.com/philly/news/local/29852894.html>

### A REPUBLICAN BY ANY OTHER NAME

**Olympia, WA** - Washington State Democrats sued a state official Tuesday to get a Republican listed on the ballot, arguing a candidate is obscuring his party identity by ballot language that says he "prefers GOP party." The candidate, Dino Rossi, is facing

a rematch this November with Democratic Governor Chris Gregoire, who beat him by 133 votes four years ago after three counts and a court challenge. The lawsuit the party filed against Secretary of State Sam Reed argues that "allowing Mr. Rossi to obscure his true party preference and affiliation directly violates the law, would mislead a substantial portion of the voting public and would breed cynicism and mistrust in our public institutions and, indeed, in our electoral process. Read about the lawsuit here:

<http://ap.google.com/article/ALeqM5hHmrRDr4Xw21StpjXaMOCU UUaFOAD93CS16G0>

### ABSENTEE BALLOTING

**Ann Arbor, MI** - Michigan's Democratic House majority last week passed a bill that would allow Michiganders to vote by absentee ballot without the need to state a reason. Read more here

[http://blog.mlive.com/a2politics/2008/09/michigan\\_house\\_oks\\_no\\_reason\\_a.html](http://blog.mlive.com/a2politics/2008/09/michigan_house_oks_no_reason_a.html)

**National** - The U.S. Postal Service has issued a directive barring absentee ballot forms from post office lobbies. The move is part of an effort to "stabilize what goes on display in post office lobbies." It had been standard procedure to offer and send absentee voter materials" to post offices in Suffolk County, NY. When asked about the change in absentee ballot application availability, Tom Gaynor, a Postal Service Communications Program Specialist for the Long Island and Westchester district, said, "We have a directive" from the Retail Department in Washington D.C. "I had it earlier, in May of this year" that local post offices must comply with a prohibition against providing absentee ballot applications in post office lobbies. Read more here:

<http://www2.timesreview.com/SIR/stories/I-voters-09-25>

### EX-FELON'S RIGHTS

**NATIONAL** - The Sentencing Project last week released a report, "Expanding the Vote: State Felony Disenfranchisement Reform", 1997- 2008, documenting the reform movement over the past eleven years that has been instrumental in restoring the right to vote for more than 760,000 citizens. Since 1997, 19 states have amended felony disenfranchisement policies in an effort to reduce their restrictiveness and expand voter eligibility. The report's release coincides with the introduction of new legislation in Congress to secure federal voting rights for nonincarcerated citizens. Read the report here:

[http://sentencingproject.org/Admin/Documents/publications/fd\\_statedisenfranchisement.pdf](http://sentencingproject.org/Admin/Documents/publications/fd_statedisenfranchisement.pdf)

## 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](mailto: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 moderator for the first of the 1960 televised debates between John F. Kennedy and Richard Nixon?

### LAST WEEK'S QUESTION

What other vice president served under two different Presidents?

### ANSWER

John C. Calhoun served under John Quincy Adams and Andrew Jackson. On December 28, 1832 Calhoun accepted election to the United States Senate from his native South Carolina, becoming the first Vice President in U.S. history to resign from office, and the third Vice President to relinquish the office prior to its full term. We had correct answers from Pat Fitch, Jesse Wald and Kevin Kingston. Congratulations to each of you! And 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](mailto:erika@democraticlawyers.org).

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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](mailto: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](mailto:david@democraticlawyers.org)), Curtis LeGeyt ([curtis@democraticlawyers.org](mailto:curtis@democraticlawyers.org)) & Candice Jones ([candice@democraticlawyers.org](mailto: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](mailto: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.

### **Federal Legislation Committee**

*Chair, Dick Meltzer ([dick@democraticlawyers.org](mailto: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](mailto: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](mailto: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](mailto: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???](#)**

To get your own copy of Democratic Law Briefs, please visit

<http://www.democraticlawyers.org/join.php> or e-mail your name, title, company, addresses, and phone numbers to [signup@democraticlawyers.org](mailto: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](mailto:editors@democraticlawyers.org). We reserve the right to use, not use, edit, paraphrase, or otherwise play with your submissions.

\* \* \*

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