



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

**LAST WEEK - MAKE A DIFFERENCE!!!**



Are you interested in helping to get Creigh Deeds, Jody Wagner and Steve Shannon elected, as well as local candidates in the 2009 Election in Virginia? Promote & Protect the Vote 2009 (P2TV) is recruiting volunteer attorneys and law students to monitor targeted precinct polling places across the Commonwealth on Election Day, November 3, 2009, and to canvass the vote the day after Election Day, November 4, 2009.

P2TV is a program aimed at promoting fair elections and protecting voters from election law violations in Virginia. Experience has shown that an effective voter protection program and vote canvass can change the outcome of an election.

As a member of the D.C. Democratic Lawyers Council, you can help protect the votes of Virginians and make a meaningful impact in communities around Virginia by volunteering with P2TV on one or both days. Virginia Bar membership is not required to volunteer but it is a plus.

If you are interested in helping, please go to <http://www.vademocrats.org/page/s/promotethevote09> and sign up to volunteer.

If you have questions about the program or volunteer, opportunities please contact Kristina Perry, Promote & Protect the Vote Coordinator, by email at [kperry@vavictory09.org](mailto:kperry@vavictory09.org) or by phone at (804) 644-1966 ext. 241.

P2TV began in Virginia in 2001 and has continued to expand and grow each year. This program is only effective because of the participation of passionate members of the legal community.

Thank you for your support in helping to keep Virginia moving forward.

## PHONE BANK FOR VIRGINIA



This Tuesday, Wednesday, and Thursday evenings, folks in D.C. will gather to lend support to Creigh Deeds's campaign for Virginia governor.

As President Obama said last week, Creigh Deeds's "record of bringing people together to create solutions to difficult challenges is exactly the kind of change we built this movement to achieve." By getting involved today, you can help make sure we keep the momentum for change going strong.

When you sign up to help, you'll join with other OFA supporters in D.C., making calls to Virginia voters asking them to vote for Creigh Deeds in the November 3rd election.

### ***Can you make it to a phone bank this week?***

Here are the details:

**What:** Creigh Deeds for Virginia Governor D.C. Phone Banks

**When:** Tuesday, Wednesday, and Thursday -- October 27th, 28th, and 29th  
Any time between 5:00 p.m. - 9:00 p.m.

**Where:** Democratic National Headquarters (near the Capitol South Metro)  
430 S Capitol St SE (entrance on Ivy Street SE)  
Washington, D.C. 20003

**RSVP NOW**

<http://dc.barackobama.com/DeedsCallsDC>

Whether you can come for a whole evening or part of one, any time you can give will make a big difference in this final stretch.

Hope you can make it,

Betsy Hoover  
National Regional Director  
Organizing for America

# VOTING RIGHTS NEWS

## NEW JERSEY VOTE BY MAIL

**National** - The ongoing debate over the role of technology in elections has provoked a great deal of research on the topic. A recent conference on voting technology featured 11 papers examining evidence in a number of countries and a new working paper discusses the current state of research and development in voting technology. Read the reports here:

<http://www.electionreformproject.org/Features/4d429767-ea43-48d1-87df-c089c8be60ff/r1/Detail.aspx>

## RELEASE OF OPEN SOURCE FOR ELECTION SOFTWARE

**National** - A group working to produce an open and transparent voting system to replace current proprietary systems has published its first batches of code for public review. The *Open Source Digital Voting Foundation* (OSDV) announced the availability of source code for its *prototype election system* Wednesday night at a panel discussion that included Mitch Kapor, creator of Lotus 1-2-3 and co-founder of the Electronic Frontier Foundation; California Secretary of State Debra Bowen; Los Angeles County Registrar-Recorder Dean Logan; and Heather Smith, director of Rock the Vote. Read more here:

<http://www.wired.com/threatlevel/2009/10/open-source>

## CONSTITUTIONALITY OF ENGLISH-ONLY LAWS

**New Haven, CT**- Michael Zuckerman of Cornell University has published a paper in the *Yale Law and Policy Review* entitled "Constitutional Clash: When English-Only Meets Voting Rights This paper examines the constitutional vulnerability of English-only laws as they relate to voting materials. The topic is timely in light of King v. Mauro, a recent Iowa decision that drew national attention by interpreting a state statute to bar non-English voter registration materials. In short, this paper argues that English-only policies as applied to voting are constitutionally suspect. Read the abstract here:

[http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1489911](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1489911)

# 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 @](mailto:editors@)

[democraticlawyers.org](http://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

Francis Crick and James Watson won the 1962 Prize for Medicine but their work was based on another worker's data that many felt deserved a share of the award. Who was that researcher and why did that researcher not receive award recognition?

### LAST WEEK'S QUESTION

Who is the only person to win two undivided Nobel prizes?  
Bonus: What were the Prizes??

### ANSWER

Linus Pauling is the only person who has won two undivided Nobel Prizes. He won the 1954 Chemistry Prize and the 1962 Peace Prize. As an aside, Dr. Pauling was a very close competitor of Watson and Crick (Double Helix formation of DNA) for the 1962 Medicine prize but missed because he crystallized a very minor component of DNA that forms a Triple Helix. 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](mailto:erika@democraticlawyers.org).

### READING SOMEONE ELSE'S COPY???

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### 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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