



Fighting for Voting Rights and a Democratic United States

DEMOCRATIC LAW BRIEFS

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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.

VOTING RIGHTS NEWS

FELON VOTING RIGHTS

Washington, DC - On April 23, the U.S. Supreme Court will consider whether to review *Simmons v Galvin*, 09-920, a case from Massachusetts on whether the federal Voting Rights Act has any relevance to state laws that bar ex-felons or felons from registering to vote. In the First Circuit, the 3-judge panel had voted 2-1 that Congress never intended the Voting Rights Act to have any relevance to that issue. On the other hand the 9th circuit ruled 2-1 on *Farrakhan v Gregoire* early this year that the Voting Rights Act does apply to that issue. Because there is now a split in the circuits on the issue, it is considered somewhat likely that the U.S. Supreme Court will hear *Simmons v Galvin*. Read more here:

<http://www.ballot-access.org/2010/04/08/supreme-court-sets-conference-date-for-case-on-felon-voting-and-voting-rights-act/>

VOTER REGISTRATION

Boulder, CO - An effort by Secretary of State Bernie Buescher and Speaker of the House Terrance Carroll (D-Denver) to allow for same-day voter registration has stirred up a firestorm of criticism at the state capitol and beyond. But it's the draft bill's language regarding voter registration on Election Day that got Republicans and some county clerks up in arms. Current law cuts off voter registration 29 days prior to the date of the primary or general election. Under the draft bill, for the 2010 general election, those eligible to vote can register to do so during the early voting period that ends the Friday before Election Day. Beginning with the 2012 general election, eligible voters may register to vote on Election Day by appearing in person at a service center for the precinct and with proper identification. Buescher told *The*

Statesman this week that he has been in discussion with county clerks about simplifying the election process for two months, and that many other states offer same-day registration. *The Statesman* could not find any county clerk who would admit to working on the bill. Clerks who responded to calls from *The Statesman* said they got their first look at the bill last week, rather than being involved from the get-go. Of course the GOP is charging that the changes would produce “ACORN-inspired voter fraud” (leave it to the GOP to lie and grossly exaggerate) and that provoked a strong statement in response from Carroll. Read more here:

<http://coloradostatesman.com/content/991749-voting-bill-ignites-capitol-firestorm>

DEMOCRACY RESTORATION ACT

Washington, DC - On March 16, the House Judiciary Subcommittee on the Constitution, Civil Rights and Civil Liberties held a hearing on the DRA. Witnesses included Brennan Center Legal Director and NYU Law Professor Burt Neuborne; Andres Idarraga, a Yale law student who voted for the first time in 2008 after having his voting rights restored. Read the details here:

http://www.brennancenter.org/blog/archives/restoring_voting_rights_to_millions/

ELECTION LEGISLATION

Washington, DC - On March 16, Project Vote released *Election Legislation 2010: Threats and Opportunities Assessment*, a research memo discussing the potential dangers or gains represented by over 30 bills that have been enacted or proposed in 22 states. In this memo Project Vote assessed the viability of pending bills based on discussions with state-based advocates, recent media coverage, and the composition of the legislatures. Read the report here:

http://www.projectvote.org/images/publications/Threats_and_Opportunities_March_2010.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

FDR died 65 years ago on April 12, 1945. FDR, during his State of the Union speech to Congress on Jan. 6, 1941 named "the four liberties". What were these Four Liberties?

LAST WEEK'S QUESTION

Millard Fillmore appointed the first governor of the Utah Territory. Who was this governor?

ANSWER

Millard Fillmore appointed Brigham Young as the first governor of *the* Utah Territory *in 1850*. In gratitude for creating *the* Utah Territory in 1850 and appointing Brigham Young as governor, Young named the territorial capital "Fillmore" and the surrounding county "Millard". 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).

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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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