



*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 28 July 29, 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.

## **HELP WANTED**

### **ELECTION PROTECTION 2008**

Democratic General Election plans are in full swing at headquarters and in the states. The DNC is finalizing its national online lawyers intake form, where Democratic lawyers will have the opportunity to let us know what your interests are for the longer-term and any assignments in the field. We will circulate that link as soon as it's available. In the meantime, we have volunteer opportunities available **now** with respect to:

- Legal Research
- Virginia Voter Promotion and Protection
- D.C. Voter Promotion and Protection
- National Task Forces focused on historically disenfranchised communities
- National Working Groups focused on cross-cutting operational and strategic issues

If you have some time and want to pitch in, please e-mail Erika Moritsugu at [erika@democraticlawyers.org](mailto:erika@democraticlawyers.org) and with "2008 General Election" in the subject line and indicate your preferred activity.

## EVENTS

### 2008 NATIONAL YOUNG LAWYERS ACADEMY

**Who:** The Democratic National Committee and  
The Democratic Governors Association  
with special guest SENATOR TOM DASCHLE

**What:** A comprehensive training on how to put your legal skills to use in federal and state elections. Lawyers and law students are invited to join the party effort to protect the right to vote and ensure every vote is counted.

**Where:** National Education Association, 1201 16th Street, NW, Washington, Dc

**When:** Saturday, August 2, 9:00 a.m. - 2:00 p.m.

To register, visit <http://www.democraticgovernors.org/page/s/dgadnclawyers>.

Participants are responsible for travel and lodging. Meals will be provided.

If you have any questions, please contact Anna Martinez (DNC) at [martineza@dnc.org](mailto:martineza@dnc.org) or Brinkley Serkedakis (DGA) at [serkedakis@dga.net](mailto:serkedakis@dga.net).

## VOTING RIGHTS NEWS

### ELECTORAL REFORM

**New Mexico** -A coalition of nonpartisan voter registration organizations has filed suit in New Mexico against parts of a 2005 electoral reform law that they contend unconstitutionally abrogates their right to collect voter registrations.

<http://www.politico.com/news/stories/0708/12071.html>

### VOTER REGISTRATION CARDS

**California** - California has redesigned its voter registration card, in part to avoid the kind of confusion that led to a likely undercounting of the state's independent voters. Secretary of State Debra Bowen says some voters complained that they accidentally registered with the American Independent Party when they intended to register as nonpartisan. The American Independent Party was listed first on the old registration card. [http://www.mercurynews.com/breakingnews/ci\\_9973292](http://www.mercurynews.com/breakingnews/ci_9973292)

## BALLOT STUDY

**New York** - The Brennan Center has released a study on ballot design in America and the results are not pretty. "Better Ballots" finds that poorly designed ballots continue to plague America. Find the report here:

[http://brennancenter.org/content/resource/better\\_ballots/](http://brennancenter.org/content/resource/better_ballots/)

## EX-FELON VOTING

**Montgomery, AL** - The ACLU has initiated litigation charging that the State of Alabama has wrongfully denied thousands of convicted felons their right to vote. At issue is what constitutes a "crime of moral turpitude." Those convicted of such crimes may have their voting rights removed, but, the ACLU alleges, the state constitution does not define "moral turpitude." Read about the law suit here:

<http://www.al.com/news/birminghamnews/index.ssf?/base/news/1216714508263470.xml&coll=2>

## VOTING MACHINES

**GEORGIA** -- A report this week says that a cyber security expert, and former advisor to Senator John McCain, is alleging that Diebold actually tampered with voting machines in Georgia's 2002 elections. Stephen Spoonamore, a noted expert in the field, alleges that Diebold installed a "patch" on Georgia voting machines that may have had the specific purpose of throwing the election to the GOP. Details can be viewed here:

[http://rawstory.com//news/2008/Cybersecurity\\_expert\\_raises\\_allegations\\_of\\_2004\\_0717.html](http://rawstory.com//news/2008/Cybersecurity_expert_raises_allegations_of_2004_0717.html)

## VOTER REGISTRATION

**Jefferson City, MO** - In a sweeping *Order* issued on July 15, 2008, United States District Judge Nanette K. Laughrey directed the Missouri Department of Social Services to immediately comply with a federal law requiring state public assistance agencies to provide voter registration applications and assistance to their clients. Thousands of low-income Missouri residents stand to *benefit* from the victory; voter registration at the state's public assistance have dropped by 89 percent since 1995-1996. Visit <http://www.demos.org/pubs/court.decision.7.15.08.pdf>

# FEDERAL LEGISLATIVE TRACKING

## HEARINGS

**Hearing to examine S. 3212, to amend the Help America Vote Act of 2002 to provide for auditable, independent verification of ballots, to ensure the security of voting systems**

Wednesday, July 30, 2008 at 10:00 a.m.

Senate Committee on Rules and Administration, 301 Russell Senate Office Building

For more information, visit <http://rules.senate.gov/hearings/2008/073008s3212.htm>

**Hearing on Lessons Learned from the 2004 Presidential Election**

Held on July 24, 2008

House Judiciary Subcommittee on the Constitution, Civil Rights, and Civil Liberties

Testimony available at [http://judiciary.house.gov/hearings/hear\\_072408\\_1.html](http://judiciary.house.gov/hearings/hear_072408_1.html)

## 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 sole recanter of his signature on the Declaration of Independence

### LAST WEEK'S QUESTION

Who was the last person to sign the Declaration of Independence?

### ANSWER

The last person to sign the Declaration of Independence was Thomas McKean of New Castle, Delaware. Since his signature did not appear on the printed copy that was authenticated on January 17, 1777, it is assumed that he signed after that date, possibly as late as 1781. We did not have any correct answers last week. Good Luck this week.

## JOBS

**Office:** Strayer University

**Position:** Associate General Counsel

**Contact:** Submit cover letter and resume (no calls please) with salary requirements to: [legalrecruitment@strayer.edu](mailto:legalrecruitment@strayer.edu)

**Description:** Fast growing, Washington, DC-based, for-profit university is seeking an experienced attorney to join its collegial in-house legal team. The position requires at least five years of law firm and/or in-house experience in administrative law and/or legislative practice, with experience in the education regulatory environment strongly preferred. Excellent academic qualifications including Bachelor's degree and JD from an ABA accredited law school. Bar admission required.

**Office:** MedImmune

**Position:** Pac Manager

**Contact:** To apply for the position visit the careers page of the MedImmune web site, <http://www.medimmune.appone.com/>, and search using req# 00964.

**Description:** MedImmune is seeking an individual with significant experience managing a political action committee and/or campaign fundraising experience to oversee MedImmune's Employee Political Awareness Committee (MedI PAC). The MedI PAC Manager will report to the Director of Policy and is responsible for the administration of all activities relating to the MedI PAC. The MedI PAC Manager will coordinate and implement programs related to the MedI PAC, including developing and implementing an annual, internal solicitation campaign and recruiting of PAC donors. The PAC Manager will coordinate MedI PAC events for contributing members. The manager will be required to keep accurate and detailed records of all transactions, registrations, and filings associated with the MedI PAC. It will be the manager's responsibility to prepare, process and file reports on a monthly, quarterly, and yearly basis using PAC specific software. In addition to PAC responsibilities, the manager will assist the Policy Director in reviewing legislation and providing policy support to the MedImmune Government Affairs Managers (GAMs). The PAC Manager will serve as point-of-contact to the GAM team in triaging legislative and policy issues for review, identifying trends and working with the Policy Director and internal stakeholders to assess legislation, identify solutions and develop support material.

**If you know of a legal or other position of interest position that should be listed here (or corrections or updates to job openings that are listed), please contact your editors at [editors@democraticlawyers.org](mailto:editors@democraticlawyers.org).**

*Editors' Note: The above listed job(s) were gathered from various sources in an effort to collaborate, disseminate, and share information with members of the DC Democratic Lawyers Council regarding career development and professional opportunities. No guarantee is given concerning the accuracy of the job*

*announcement, job descriptions, qualifications, availability, application process, deadlines, salaries, work hours, or other information. If you have questions about a job, please follow up directly with the designated contact listed. Thank you.*

## 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).

## 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 LeGeyst ([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.

### **State Legislative Watch Team**

*Chair*, Molly Askin ([molly@democraticlawyers.org](mailto: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](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.

\* \* \*

Democratic Law Briefs, E-Mail Edition, Volume 4 Number 28

Copyright 2008 DCDLC, Paul Roath, Ph.D., Esq., Arielle Harry-Bess, Esq. and Erika Moritsugu, Esq.

This material is intended for personal use only. For other than personal use, it is illegal to make copies or faxes of the information or to store it in a database without permission. All material herein is copyrighted and is intended for the sole personal use of members of the Democratic Lawyers Council. While copies for personal use are permitted, the information otherwise may not be reproduced, republished or downloaded to a local area network without written permission. Violators risk penalties and \$100,000 in damages per offense.