



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.

EVENTS

ACS NATIONAL CONVENTION

The American Constitution Society's Seventh Annual National Convention comes at a particularly momentous time in our nation's history. The National Convention will provide participants with the opportunity to engage with exciting speakers, participate in rigorous debate and discussion of critical legal and public policy issues, and contribute to the development of a progressive vision of the Constitution, the law, and public policy. Join hundreds of lawyers, judges, law students, policymakers, scholars and activists to learn, debate, and strategize.

Date: June 18-20, 2009

Location: Renaissance Mayflower Hotel, Washington, DC

See the full agenda and RSVP at: <http://www.acslaw.org/convention09>

VOTING RIGHTS NEWS

MINNESOTA SENATE RACE

St. Paul, MN - Lawyers for Norm Coleman, the Republican who is fighting a recount battle for a Senate seat with Al Franken (D), faced sharply skeptical questioning from justices of the Minnesota Supreme Court in a crucial hearing on this case this morning. Associate Justice Christopher J. Dietzen said Mr. Coleman's argument that thousands of absentee ballots had been wrongfully excluded had "no concrete evidence to back

it up,” and said, “in my experience, I’ve never seen an offer of proof like this.” The attorney for Franken, an author and former comedian, was also grilled about whether the differences in the acceptance of ballots did not show some of the evidence of deeper electoral problems that the Coleman team described. Read more here:
http://www.nytimes.com/2009/06/02/us/02minnesota.html?_r=1&hp

ON LINE REGISTRATION

Denver, CO - Colorado has joined the growing list of states that allow its citizens to register to vote on line. Last week Governor Ritter signed the legislation. To participate in e-registration citizens must have a Colorado driver's license or state identification card. Details here:
<http://www.colorado.gov/cs/Satellite/GovRitter/GOVR/1242391623754>

SOUDER REPLACEMENT NOMINATED

Washington, DC - Last week, President Obama announced Judge Sonia Sotomayor of the Second Circuit to be his nominee to replace Justice Souder. While many consider her to be more of a centrist, the right wing is attempting to stir up its followers by citing a case heard by her panel on reverse discrimination in 2003, *Ricci v. DeStefano*, as an example that she is a racist and not smart enough to be on the court. If you need more on this story:
http://www.usatoday.com/news/washington/judicial/2009-05-31-firefighters_N.htm:

ALTERNATIVE VOTING

Honolulu, HI - Officials saw an 83 percent drop in the number of voters participating in the Honolulu Neighborhood Board's recent election that is the nation's first all-digital election, where people could vote over the internet or by phone. For the first time, Oahu voters had to use computers or the telephone to vote for their neighborhood board candidates and many people did not bother. For more on this story go here:
<http://www.kitv.com/news/19573770/detail.html>

ELECTION DAY REGISTRATION

Hartford, CT - The Connecticut House of Representatives has passed a bill that would introduce full Election Day Registration in the state. If passed the state would become only the tenth state to allow Election Day registration. Connecticut currently allows EDR for presidential elections. Additional details here:

<http://www.demos.org/press.cfm?currentarticleID=8374F09D-3FF4-6C82-539F3B8710636EFD>

ELECTION LAW CHANGES

Nevada - Nevada lawmakers heard criticism Tuesday of a proposal from the secretary of state's office that would increase penalties for offenses such as intimidating voters and interfering in the conduct of an election.

<http://www.pahrumpvalleytimes.com/2009/May-29-Fri-2009/news/29047719.html>

Massachusetts - Beacon Hill lawmakers are weighing a raft of bills designed to make changes to the state's election laws. One bill would allow candidates to test computer programs used in voting machines before elections. Another would ban cities and towns from using school buildings as polling locations unless there are no other options available.

http://www.bostonherald.com/news/politics/view/2009_05_30_Mass__weighs_bills_making_changes_to_election_laws/srvc=home&position=recent

MILITARY VOTING BILL

Montgomery, AL- A bill that would have made voting easier for Alabama's military members died in the last days of the legislative session. Details here:

<http://www.montgomeryadvertiser.com/article/20090531/NEWS01/905310327/Military+voting+bill+likely+won+t+apply+to+2010+elections>

Sacramento, CA -The state Assembly on Thursday OK'd a bill by Assemblywoman Bonnie Lowenthal (D-Long Beach) that would make it easier for overseas American troops to mail in their election ballots .Details here:

http://www.presstelegram.com/news/ci_12473439

VOTER IDENTIFICATION

Austin, TX - State House Democrats spent Memorial Day weekend killing legislation that called for more voter identification at the polls with a strategy that required five days of mundane questioning about hundreds of bills. Read more here:

<http://www.statesman.com/news/content/region/legislature/stories/05/31/0531voterid.html>

Providence, RI - House lawmakers Thursday OK'd legislation that could make Rhode Island the ninth state requiring voters to show photo identification at the polls, a move supporters say could prevent voter fraud and strengthen the election process. Details here:

http://www.projo.com/extra/election/content/VOTER_ID_05-29-09_L5ECRLV_v23.4047f56.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. 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 U.S. Attorney General who was nominated and confirmed for the U.S. Supreme Court but never became a member of the Court?

LAST WEEK'S QUESTION

Seven Presidents were born in a log cabin, who was the last President to be born in a log cabin?

ANSWER

James A. Garfield was the last of the seven Presidents born in a log cabin. We had a correct answer from Kevin Kingston. Congratulations Kevin! Good Luck this week.

NEW LEGISLATION

S.1026: A bill to amend the Uniformed and Overseas Citizens Absentee Voting Act to improve procedures for the collection and delivery of marked absentee ballots of absent overseas uniformed service voters, and for other purposes.

Sponsor: *Sen Cornyn, John* [TX] (introduced 5/12/2009) *Cosponsors* (4)

Committees: Senate Rules and Administration

Latest Major Action: 5/12/2009 Referred to Senate committee. Status: Read twice and referred to the Committee on Rules and Administration.

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 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

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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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