



*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.

### **VOTING RIGHTS NEWS**

#### **PAPER TRAIL FOR ELECTRONIC VOTING MACHINES**

**Washington, DC** - In a *New York Times* editorial, electronic voting machines that do not produce a paper record of every vote cast cannot be trusted are discussed. The *Times* editorial indicates that in 2008, more than one-third of the states, including New Jersey and Texas, still did not require all votes to be recorded on paper. The editorial discusses Representative Rush Holt's (D-NJ) bill that would ban paperless electronic voting in all federal elections. Read the editorial here:

<http://www.nytimes.com/2009/06/22/opinion/22mon2.html?ref=opinion>

#### **SECTION 5**

**Washington, DC** - The Supreme Court on Monday let stand a central provision of the Voting Rights Act of 1965, declaring that there was no need at the moment to decide whether that provision was still constitutional in light of the fundamental changes that have swept across the South in recent decades. While not striking down Section 5, the court ruled that a small Texas water district whose challenge to Section 5 led to Monday's ruling – and by implication some other political units as well – should have an easier time applying for and obtaining exemption, or getting a “bail out,” from Section 5 provisions. So Monday's ruling was a victory for the Northwest Austin Municipal Utility District Number One in its suit, backed by a conservative group, against the United States. Read more here:

[http://www.nytimes.com/2009/06/23/us/23scotus.html?\\_r=1&hp](http://www.nytimes.com/2009/06/23/us/23scotus.html?_r=1&hp)

See Chairman of the Senate Committee on Judiciary Patrick Leahy's reaction here:

<http://leahy.senate.gov/press/200906/062209a.html>

View special video from DNC Vice Chair of Voter Registration & Participation Donna Brazile here: <http://www.democrats.org/page/content/votingrights>

### [GAO REPORT ON POLL ACCESS](#)

**WASHINGTON, D.C.** -Senators Herb Kohl (D-WI), Mel Martinez (R-FL), Dianne Feinstein (D-CA), Bob Bennett (R-UT), Ted Kennedy (D-MA), and Tom Harkin (D-IA) released a report by the U.S. Government Accountability Office (GAO) that estimates only 27 percent of polling places across the country possess all the required features to facilitate private and independent voting for older and disabled voters. A Rutgers University study indicated that people with disabilities are roughly 15 percent less likely to vote than those without, and with the rapid aging of America's population, the number of voters who may face challenges due to impaired mobility will likely grow. Read the report here:

<http://www.aging.senate.gov/letters/gaoldervoterstudy.pdf>

### [A WIN FOR OHIO VOTERS](#)

**Columbus, OH** - The League of Women Voters of Ohio, the League of Women Voters of Toledo-Lucas County, and a dozen Ohio citizens reached a historic agreement with the State of Ohio to fix defects in the way Ohio conducts its elections. The agreement, calling for new institutional procedures in the electoral process, settles a lawsuit filed in 2005 that alleged that then-Secretary of State J. Kenneth Blackwell (R), Governor Bob Taft (R), and their predecessors had failed to protect the fundamental rights of eligible Ohio voters to cast a meaningful ballot, as required by the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the United States Constitution. Read more about this win here:

<http://www.demos.org/press.cfm?currentarticleID=EAF3F40B-3FF4-6C82-56B1453F2D29DEA7>

### [MINNESOTA SENATE RACE](#)

**Washington, DC** - Federal election officials released two written drafts Thursday setting forth the reasons they might let Norm Coleman (R) use campaign cash for legal bills stemming from a swirl of ethics and legal allegations that a supporter tried to maneuver money to the former senator. No decision has been made by the Federal Election Commission (FEC), which will consider the case next week. Additional details here:

[http://www.startribune.com/politics/national/senate/48567812.html?elr=KArks8c7PaP3E77K\\_3c::D3aDhUxWoW\\_oD:EaDUiD3aPc:\\_Yyc:aULPQL7PQLanch07DiUr](http://www.startribune.com/politics/national/senate/48567812.html?elr=KArks8c7PaP3E77K_3c::D3aDhUxWoW_oD:EaDUiD3aPc:_Yyc:aULPQL7PQLanch07DiUr)

## 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

Four presidents did not have any Supreme Court appointments. Who were they?

### LAST WEEK'S QUESTION

Who is the only President to name more than one chief justice?

### ANSWER

George Washington named three chief justices, John Jay, John Rutledge and Oliver Ellsworth. We had a correct answer from Chris Drake. Congratulations Chris. 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).

## 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???**

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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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