

Subject: RE: Public Information Request (TX-SOS-24-0235) - SOS PIR 24-0327
Date: Wednesday, April 3, 2024 at 11:16:23 AM Eastern Daylight Time
From: GeneralCounsel
To: AO Records
CC: GeneralCounsel
Attachments: 4-3-24 15 Day Letter to Requestor - American Oversight PIR 24-0327.pdf, 4-3-24 15 Day Letter to OAG - American Oversight PIR 24-0327.pdf, 4.3.24 Documents.zip

EXTERNAL SENDER

Good morning,

Please see the attached letters, and zipped folder containing documents, in response to your request for information under Chapter 552 of the Texas Government Code.

The responsive documents contain email addresses of the general public. An email address of a member of the public is confidential under section 552.137 of the Texas Government Code. The attorney general authorized all governmental bodies to withhold an email address of a member of the public without first requesting an attorney general opinion in Open Records Decision No. 684 (2009). Thus, this information has been redacted.

As stated in the attached letter, we require more time to continue reviewing our records and produce additional responsive information. We will provide you additional responsive documents—to the extent such information is not excepted from disclosure under state or federal law—by 5:00 p.m. on May 1, 2024. *See* Tex. Gov't Code § 552.221(d).

Kind regards,

Jennifer Williams
Legal Assistant to the General Counsel
Office of the Texas Secretary of State

From: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Sent: Tuesday, March 26, 2024 9:26 AM
To: 'AO Records' <records@americanoversight.org>
Cc: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: RE: Public Information Request (TX-SOS-24-0235) - SOS PIR 24-0327

Good morning,

Please see the attached letter, with enclosure, in response to your request for information under Chapter 552 of the Texas Government Code. We will provide you with a copy of our brief to the OAG and an initial production of documents on April 3, 2024.

Kind regards,

Jennifer Williams
Legal Assistant to the General Counsel

Office of the Texas Secretary of State

From: AO Records <records@americanoversight.org>
Sent: Tuesday, March 12, 2024 3:04 PM
To: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: Public Information Request (TX-SOS-24-0235)

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Dear Public Information Officer,

Please find attached a request for records under Texas public records laws.

Sincerely,

Mariuxi Pintado | (she/hers)
Senior Paralegal | American Oversight
records@americanoversight.org
www.americanoversight.org | @weareoversight

Public Information Request: TX-SOS-24-0235

From: electionline [REDACTED] >
Sent: Thursday, December 14, 2023 11:01 AM
To: Christina Adkins
Subject: electionline Weekly--December 14, 2023

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electionline Weekly

December 14, 2023

In Focus This Week

'Tis the season

Some last-minute gift suggests for the elections person on your shopping list

By M. Mindy Moretti
Electionline.org

Whether you're looking for a gift for an elections person in your life, your staff, that one constituent who seems to spend a lot of time in your office/DMs or just yourself, here are some suggestions.

[Read More](#)

electionline Temporary Schedule Changes

As we move into the holiday season and countdown to 2024, we've got a few temporary changes to our schedule.

Fridays in December — The Daily News will post by 10am on Fridays in December (Dec. 15, 22 and 29).

December 25 & 26 — The Daily News will not publish.

December 27-29 — The Daily News will post by 10 am all this week.

December 28 — There will be NO electionlineWeekly this week.

January 1, 2024 — The Daily News will not publish.

[Read More](#)

electionline Daily News Email

What's the best part of waking up? electionline Daily News in your inbox of course so be sure to sign up for your daily dose.

Each morning you'll receive the top headlines of the day, plus a listing of states featured in that day's news round up.

To sign up, simply [visit our site](#) and provide us with your email and you'll begin receiving the news in your inbox each morning.

We Google so you don't have to!

[Read More](#)

Election News This Week

Update on List Maintenance: A report this week from Votebeat says that some Republican-lead [states that opted out of participation in ERIC are struggling](#) to develop new ways to adequately up their voter rolls.

According to Votebeat, Virginia paid \$29,000 in September to regain access to just a sliver of the data they used to obtain via ERIC. Alabama and Missouri officials took months to come up with new plans for cleaning

voter rolls, landing on plans that are less rigorous than ERIC. And a new system [some states](#) are considering to help with voter roll cleanup had its server attacked and temporarily brought down, according to documents obtained by left-leaning watchdog group American Oversight and exclusively shared with Votebeat. The nine Republican states that have left since 2022 can't replicate this type of system, and are instead taking a piecemeal approach that leaves them contending with a series of challenges, the documents show. Shane Hamlin, the executive director of ERIC, told Votebeat that its founding states worked for more than two years to build ERIC and "ensure what we do and how we do it complies with state and federal laws," he said in a statement. "We also made sure data privacy and security were built into our processes and practices from the beginning." The documents provided to Votebeat show that, in many cases, states that left ERIC didn't have a long-term plan to replace it. At least some also lacked short-term plans for keeping voter rolls up-to-date in the meantime.

[Read More](#)

Legislative Updates

Boston, Massachusetts: The Boston City Council approved a home rule petition that [grants immigrants with "legal status" the ability to vote](#) in local elections, over concerns that the move could jeopardize their path to attaining full citizenship. The 8-4 vote taken Dec. 13 was described as a largely "symbolic gesture" by Councilor Gabriela Coletta who stated that conversations with her constituents drove her to vote 'yes' on the measure, despite the serious legal ramifications that could arise from non-citizens mistakenly voting in state or federal elections. "After checking with members of my community, to them a 'yes' vote would show solidarity with those who are here legally, pay taxes and are members of, not just East Boston, but Boston as a whole," said Coletta, who represents East Boston. "I do intend to vote 'yes' for them and for them only." Coletta, in a lengthy prepared statement read prior to the vote, directed the councilors to "be real" about what their 'yes' vote meant. The mayor "may or may not" sign the home rule petition that passed through the Council, following a list of legal concerns cited by the city's Election Department in prior Council hearings, she said, and, if the measure is sent to Beacon Hill, it could be one of the majority of city petitions that die in the state Legislature.

[Read More](#)

Legal Updates

Arkansas: Civil rights organizations are asking the [full 8th U.S. Circuit Court of Appeals](#) to review a ruling by a three-judge panel that threatens to make it harder to enforce the Voting Rights Act's protections against racial discrimination in the election process. [The court filing](#) released this week by attorneys led by the American Civil Liberties Union marks another step in a case that could become the next U.S. Supreme Court showdown that further weakens the landmark law. The panel's ruling upheld a lower court decision that found that private individuals and groups — who, for decades, have brought the majority of lawsuits under Section 2 of the Voting Rights Act — do not have the right to sue because they are not explicitly named in the law. That decision came out of a redistricting lawsuit filed by the Arkansas State Conference NAACP and the Arkansas Public Policy Panel, which challenged Arkansas' state House map. The groups argued that the legislative redistricting plan approved by Republican politicians violates Section 2 by diluting the collective voting power of Black people in Arkansas, where 16.5% of the state's population is Black.

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Opinions This Week

National Opinions: [Voting Rights Act](#) | [Primaries](#) | [Youth vote](#) | [Elections officials](#) | [2020](#) | [Bush v Gore](#)

[Read More](#)

Upcoming Events

[Joint Election Officials Liaison Conference](#) (JELOC): The Election Center will hold the annual JELOC once again in Arlington, Virginia. Among the courses offered in conjunction with the conference will be Renewal Course 37. In addition to Election Center committee meetings, the convening will include briefings from many of the federal agencies that work with state and local elections officials—the U.S. EAC, FVAP, DOJ, CISA, FBI and the Council of State Governments. Additionally there will be briefings from NCSL, NASS, NASED, and NACo. Congressional staff have also been invited to provide remarks. **When:** January 10-14, 2024. **Where:** Arlington, Virginia.

[Read More](#)

Job Postings This Week

[Deputy Election Director](#), Montgomery County, Maryland— he Deputy Election Director (Manager III) is a member of Board of Elections management. They must have in-depth knowledge of the conduct of elections and Federal and State election laws, and as a senior election team member is expected to enable, promote, and provide high quality service to over 750,000 registered Montgomery County voters. The selected candidate will provide substantive input on upper-level policy issues, and will work closely with Election Director on planning, organizing, implementing, and reviewing all election processes. Selected candidate will assist Election Director in setting priorities, design of operational plans, making operational decisions; anticipate problems, develop contingency plans, and identify resolutions to complex problems. The Deputy Election Director will be assigned supervisory responsibilities over different aspects of elections program, such as voter registration, mail-in and in-person voting, election workers recruitment and training, elections IT and voting equipment, elections operations, candidate filing, outreach and audits. S/he may coordinate assigned activities across Department's functional sections. Additionally, they will be responsible for data collection, data tracking, analysis and presentation of relevant data, trends and projections to the Election Director, the Board, and public in the form of written reports and oral presentations. The successful candidate will be responsible for preparing an overview and assessment of all legislative changes (both proposed and enacted) and lead, advise or coordinate integration of new legislative and programmatic requirements into established process. The Deputy Election Director will support BOE's procurement and contract processes and will be responsible for recommending and monitoring execution of the Department's budget. The Deputy Election Director must possess highly effective communication skills, both written and oral, and s/he will be responsible for establishing and sustaining continuous communication with an array of contacts within the county government, other local boards of elections, and the Maryland State Board of Elections. The Deputy Election Director will support and coordinate enhancement of the overall BOE performance and quality of customer service. **Salary:** \$86,401-\$152,940. **Deadline:** Jan. 4, 2024. **Application:** For the complete job listing and to apply, [click here](#).

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Marketplace

electionline provides no guarantees as to the quality of the items being sold and the accuracy of the information provided about the sale items in the Marketplace. Ads are provided directly by sellers and are not verified by electionline. If you have an ad for Marketplace, please email it to: mmoretti@electionline.org

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From: Natalia Contreras, Votebeat Texas <texas.tips@votebeat.org>
Sent: Friday, December 15, 2023 11:44 AM
To: Alicia Pierce
Subject: Help your local elections office keep its voter rolls up to date!

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December 15, 2023

[View this email in a browser](#)



It's Friday. We made it! And we're almost through with the wild ride that has been 2023.

I'm Votebeat Texas reporter Natalia Contreras, here to bring you the latest election news.

You may have received in the mail a small yellow voter registration certificate from your county elections office with your voter identification number. It looks [like this](#). But, if you live at an apartment complex, live in a dorm room, or recently moved somewhere new, you may have received one with someone else's information on it. Do not throw it away!

You can help your local elections office keep voter databases and voter rolls up to date by returning it to them to let them know that person no longer lives at that location. It's just a small thing we all can do to help our local elections work smoothly.

If you have yet to receive one, it might still be on its way to you or you might have to call your local elections office to make sure you're registered.

Speaking of voter rolls, I hope you spend some time with this story [by my colleague Jen Fified](#) about how state officials across the country have faced new obstacles and costs in trying to replace just some of the data they used to get from the Electronic Registration Information Center, also known as ERIC.

This is my last newsletter of the year! Thank you for reading. Our team at Votebeat is already geared up to take on our 2024 election coverage. Happy holidays, y'all!

As a nonprofit organization, donations from readers like you are essential to our survival. We're in the midst of our end-of-year fundraising campaign, and right now all gifts are being matched dollar-for-dollar up to \$20,000, thanks to the Loud Hound Partner Fund.

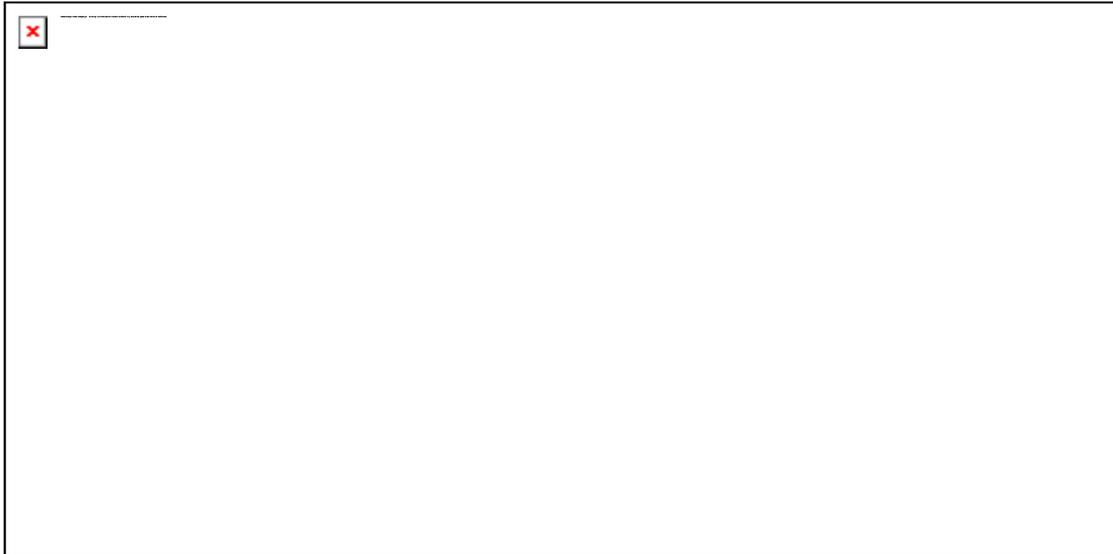
What does that mean? If you give \$10, Votebeat gets another \$10; if you give \$50, Votebeat ultimately gets \$100. This is the best time of year to donate to fuel our work and make double the impact.

If you value this newsletter and all the reporting in it, [please make a donation today!](#)

Send me all the tips and suggestions for 2024 election coverage at [\[REDACTED\]](#) Don't forget to forward this newsletter to a friend! They can [sign up for free here](#).



Our Latest Stories



Documents show Republican-led states struggling to clean voter rolls after leaving ERIC

ERIC, the Electronic Registration Information Center, is one of the best tools available to help prevent voter fraud. Cleaning voter rolls after withdrawing from the program has been a challenge for these Republican-led states.



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From: [Wheeler, Jason](#)
To: [Alicia Pierce](#)
Subject: Media Inquiry from WFAA-TV, ABC television in Dallas
Date: Tuesday, February 13, 2024 1:17:11 PM
Attachments: Outlook-w2erxlv.png
Outlook-4gwpixho.png

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Good afternoon,

I am with WFAA-TV, the ABC television station in Dallas. I co-host our statewide Texas political podcast, [Y'all-itics](#). I left you a voicemail as well. This week we are working on an episode that follows up on the Texas decision last year to withdraw from the Electronic Registration Information Center (ERIC).

We are looking for:

1. Where the state is in the process to replicate the functions of that program.
2. If there is a program up and running in Texas already, what are the specifics of it?
3. If there is not a replacement program up and running in Texas yet, what is the timeline for it to be set up?
4. We would love to have Secretary Nelson join us on the podcast to discuss this and the importance of vote integrity.

Thank you in advance,

Jason Wheeler
Anchor/Reporter, [WFAA-TV](#)
Creator, [Right on the Money](#)
Co-host, [Y'all-itics](#) Texas Political Podcast
Mobile: 305-494-2592



From: [Matt Shuham](#)
To: bryan.hughes@senate.texas.gov; [Alicia Pierce](#)
Subject: Questions re: Potential ERIC replacement
Date: Monday, September 11, 2023 11:15:45 AM

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Hello Sen. Hughes and Ms. Pierce,

I am a reporter for HuffPost researching a potential story on states that opted to leave ERIC (The Electronic Registration Information Center) – the basis for their decision to leave, the impacts of that decision, and the future of anti-voter-fraud efforts in those states.

Can you help me with answers to the below questions?

- Sen. Hughes, why did you lead the movement for Texas to leave ERIC? Did it have anything to do with [claims about the program](#) from the website Gateway Pundit, or with Donald Trump's criticisms of ERIC? Can you provide any more detail about your reasoning?
- [Reporting indicates](#) that several states are working together on a potential ERIC replacement. Can you describe where these discussions are at now? What's the status of a potential multistate data-sharing partnership to prevent voter fraud? Can either of you speak to these developments? Has Texas been involved in any way?
- How do you respond to critics who say this potential replacement is an attempt to replace a system that is and was working well, ERIC, with essentially a similar system? What are legislators' and secretary of state Nelson's priorities for a potential new system?

Thank you very much,

Matt Shuham | HuffPost | Reporter | 646-397-4678 (cell, Signal)

From: [Alicia Pierce](#)
To: "Wheeler, Jason"
Subject: RE: Media Inquiry from WFAA-TV, ABC television in Dallas
Date: Wednesday, February 14, 2024 4:14:15 PM
Attachments: image002.png
image004.jpg

Hi Jason,

Our office continues to look into options for a voter crosscheck program including contracting with other states directly for that information. In the meantime, voters rolls continue to be checked and updated a variety of other ways.

A couple of things to keep in mind:

1. We are currently in the 90-day period before a federal election when large-scale list updates like those that would have been done with ERIC data could not be done under federal law.
2. Texas had only participated in ERIC since 2020.
3. Even at its most popular, not only states participated in ERIC, including large states like California.
4. As fewer and few states participated, Texas would have paid more for less data.

I'm happy to discuss via phone but thought I'd start here.

Thanks!

Alicia Pierce
512-463-6116

From: Wheeler, Jason [REDACTED] >
Sent: Tuesday, February 13, 2024 1:17 PM
To: Alicia Pierce <APierce@sos.texas.gov>
Subject: Media Inquiry from WFAA-TV, ABC television in Dallas

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Jason Wheeler

Anchor/Reporter, [WFAA-TV](#)

Creator, [Right on the Money](#)

Co-host, [Y'all-ities](#) Texas Political Podcast

Mobile: 305-494-2592



From: Jim Kovaric [REDACTED]
Sent: Friday, November 3, 2023 12:17 PM
To: Alicia Pierce
Subject: Re: Secretary of State's Office

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Just FYI: I spent the last 30 year at IBM , assigned to investigate and fix problems with various fortune 500 enterprise security products (Identity Management and user access management products as well as Operating System kernel issues).

It was similar to a Structural Engineer Inspector who had the responsibility to not only find flaws but to personally fix the flaw.

This included recoding or reDesigning algorithms as well as determining why the test effort did not detect the flaws.

I was constantly reporting that the people running verification testing and even those who wrote the verification tests were not experts

in the system they were testing, which resulted in only the bare minimum being tested. This also resulted in the lazy attitude that

if a customer found any problems then it could be fixed by my group, using the customers environment as the test bed.

This background is what causes me to become very disheartened when I see how the "it'll do" attitude has become prevalent, when it comes to the actual testing and certification process of machines and software associated with voting.

I witnessed this first with ERIC, in that no one who authorized ERIC had any hands on experience with it, they just seemed

to accept it based on headlines or marketing claims.

Now I see it with "voting machines". People directly involved with running the certification tests have very unconcerned attitude

towards test failures, in that they certify the systems, anyway. Not sure why the effort in test certification is performed.

I have no political nor financial agenda, I just want to see technology being used correctly and efficiently and for the well being of all.

For example: The software used by ERIC is Senzing.com, which was actually written by IBM, who allowed the main developer

to quit and take the system with him. I point this out because this is another example of someone using technology for his own well being at the detriment of others, by taking advantage of states that have neither the time nor expertise

to determine if ERIC was actually useful or had a good return on investment

Jim Kovaric

On Fri, Nov 3, 2023 at 7:58 AM Alicia Pierce <APierce@sos.texas.gov> wrote:

Thanks, Jim! This email is actually a great starting point. Let me look it over some more and I will follow up next.

Alicia Pierce

512-463-6116

From: Jim Kovaric <[REDACTED]>
Sent: Thursday, November 2, 2023 8:35 PM
To: Alicia Pierce <APierce@sos.texas.gov>
Subject: Re: Secretary of State's Office

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Hi Alicia,

Regarding the 15 minute phone call, anytime Friday afternoon is fine. Please let me know what time is convenient for you. I am available anytime

for as long as is needed.

Jim Kovaric

[REDACTED]

512-992-9887

On Wed, Nov 1, 2023 at 7:17 PM Jim Kovaric [REDACTED] wrote:

Hi,

I was assisting Cindy Davison in her efforts to stop the use of ERIC. I testified at both Senate and House hearings on ERIC,

from a technical point of view, trying to show how useless ERIC really was.

Regarding voting related machines, my issue is that these should be simple computer "appliances" and need not be full blown desktop computers with

wireless hardware and the corresponding controlling network software/applications.

All of the objections made about voting related machines appear to be due to the fact that

1) these machines are accessible over a wireless network

2) these voting related software on these systems are written in script code, which are easily modified.

Simple solutions

1) remove all wireless hardware. Only allow wired hardware (known as ethernet ports)

2) all code should be written in compiled languages, such as C or C++, which can NOT be modified.

My concerns, now, are with the efforts to replace ERIC, in that those efforts seem to be repeating the same erroneous claims made

in justifying ERIC.

For example one of the flaws of ERIC has resulted in the fact that, even though the use of ERIC has been terminated, all the data

uploaded to ERIC is still within the ERIC system and is still being used by ERIC and their "associates".

Regarding ERIC and a replacement, It would be very informative to ask the group, which collected all the data into a single file and

transferred it to the ERIC ftp server, how they retrieved that data and why they simply did not import that data into their own

database server and generate the same reports which ERIC offered.

Essentially, my main questions regarding any ERIC type system, are

"what is a replacement supposed to achieve?"

"who is to access the systems?"

"what is to be done with the answers provided?"

"who has the authority to modify the voter roles based on answers provided by the ERIC type system?"

"what data must be collected (from DMV or any licensing agencies) and what is the effort to collect that data?"

If I can provide any technical council on these issues please feel free to contact me.

Jim Kovaric

[REDACTED]

512 992-9887

On Wed, Nov 1, 2023 at 5:01 PM Alicia Pierce <APierce@sos.texas.gov> wrote:

Hi Mr. Kovaric,

I received your resume from Cindi Davison and she mentioned that you might have some good information to share with our office. I think it was related to voting machines.

Would you want to do a call tomorrow afternoon or Friday for about 15 minutes?

Alicia Phillips Pierce

Assistant Secretary of State for Communications

Office of the Secretary of State

512-463-6116



From: Alicia Pierce
Sent: Friday, November 3, 2023 7:59 AM
To: 'Jim Kovaric'
Subject: RE: Secretary of State's Office

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512-463-6116

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On Wed, Nov 1, 2023 at 5:01 PM Alicia Pierce <APierce@sos.texas.gov> wrote:

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Would you want to do a call tomorrow afternoon or Friday for about 15 minutes?

Alicia Phillips Pierce

Assistant Secretary of State for Communications

Office of the Secretary of State

512-463-6116



From: Jim Kovaric <[REDACTED]>
Sent: Thursday, November 2, 2023 11:00 PM
To: Alicia Pierce
Subject: Re: Secretary of State's Office

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Hi again,

If you prefer a face to face meeting, I am also available anytime Friday afternoon.

Jim Kovaric
[REDACTED]

512-992-9887

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512-463-6116



From: Jim Kovaric <[REDACTED]>
Sent: Sunday, November 5, 2023 5:46 PM
To: Alicia Pierce
Subject: Re: Secretary of State's Office

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I am building a system based on the same software (Senzing.com) which ERIC uses, due to the fact that it is on open source (github).

This should show that any IT person, within the Secretary of States office, could have created their own, private, version of ERIC.

Is it possible to send me the "schema file", which describes the data file which the Secretary of States office sent to ERIC?

This would allow me to simulate the generation of some of the reports provided by ERIC or any possible replacement product.

This type of system could be used to assist any authorized official in determining the accuracy of the voter roles.

Jim Kovaric

On Fri, Nov 3, 2023 at 12:16 PM Jim Kovaric [REDACTED] wrote:

Just FYI: I spent the last 30 year at IBM , assigned to investigate and fix problems with various fortune 500 enterprise security products (Identity Management and user access management products as well as Operating System kernel issues).

It was similar to a Structural Engineer Inspector who had the responsibility to not only find flaws but to personally fix the flaw.

This included recoding or reDesigning algorithms as well as determining why the test effort did not detect the flaws.

I was constantly reporting that the people running verification testing and even those who wrote the verification tests were not experts

in the system they were testing, which resulted in only the bare minimum being tested. This also resulted in the lazy attitude that

if a customer found any problems then it could be fixed by my group, using the customers environment as the test bed.

This background is what causes me to become very disheartened when I see how the "it'll do" attitude has become prevalent, when it comes to the actual testing and certification process of machines and software associated with voting.

I witnessed this first with ERIC, in that no one who authorized ERIC had any hands on experience with it, they just seemed

to accept it based on headlines or marketing claims.

Now I see it with "voting machines". People directly involved with running the certification tests have very unconcerned attitude

towards test failures, in that they certify the systems, anyway. Not sure why the effort in test certification is performed.

I have no political nor financial agenda, I just want to see technology being used correctly and efficiently and for the well being of all.

For example: The software used by ERIC is Senzing.com, which was actually written by IBM, who allowed the main developer to quit and take the system with him. I point this out because this is another example of someone using technology for his own well being at the detriment of others, by taking advantage of states that have neither the time nor expertise to determine if ERIC was actually useful or had a good return on investment

Jim Kovaric

On Fri, Nov 3, 2023 at 7:58 AM Alicia Pierce <APierce@sos.texas.gov> wrote:

Thanks, Jim! This email is actually a great starting point. Let me look it over some more and I will follow up next.

Alicia Pierce

512-463-6116

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From: Alicia Pierce
Sent: Thursday, February 22, 2024 11:13 AM
To: Alicia Pierce
Subject: Secretary Nelson in the News



Texas Secretary of State Morning News Clips February 22, 2024

Secretary of State Jane Nelson: Texans 'make a plan to vote' in Super Tuesday primary El Paso Times February 21, 2024 (SJM quote)

Texas voter registration reaches new high ahead of primary election Houston Chronicle February 21, 2024

Most Texas voters say political violence "likely" over 2024 election, poll finds CBS Austin February 21, 2024 (SJM mention)

Ongoing conspiracies pushed out the elections staff in this Texas county. The new director won't budge. Vote Beat February 21, 2024

States prepare for election security threats and challenges Marketplace February 21, 2024 (Adkins Quote)

Y'all-itics preview - Election 2024: Is Texas breaking its own law? WFAA February 21, 2024

Move local elections from May to November? No, says charter review group Dallas Morning News February 21, 2024

[Tarrant County rejects free rides to the polls program ahead of the Texas primaries](#) KERA February 21, 2024

[Texas Congress members to hold briefing with USPS officials to address ongoing mail delays](#) KBTX February 21, 2024

Secretary of State Jane Nelson: Texans 'make a plan to vote' in Super Tuesday primary

El Paso Times

February 21, 2024

[www.elpasotimes.com /story/news/politics/elections/2024/02/21/texas-secretary-of-state-jane-nelson-brings-voter-education-tour-to-el-paso/72673741007/](http://www.elpasotimes.com/story/news/politics/elections/2024/02/21/texas-secretary-of-state-jane-nelson-brings-voter-education-tour-to-el-paso/72673741007/)

With the first days of early voting underway, Texas Secretary of State Jane Nelson was in El Paso as part of her statewide tour to get out the vote ahead of the [Super Tuesday primary on March 5](#).

During a news conference in front of the Enrique Moreno County Courthouse on Tuesday, Feb.20, Nelson said she was "pleased" with the number of registered voters in the state, which is approaching a record 18 million.

That number represents an increase of nearly 2 million new voters since 2020 and more than 3.5 million since Gov. Greg Abbott was first elected in 2015. El Paso has more than 503,600 registered voters, an increase of more than 33,000 since the March 2020 primary.

Those numbers stand to dramatically alter the Texas electorate, but how won't be seen until the primary.

For her part, Nelson is going all in to bring people to the polls. Her statewide tour is focused on enthusing voters and informing them about what documentation they will need to cast their ballots, as well as promoting her new [voter website](#).



"Today is the first day of early voting for the March 5 primary election and, on such an important start, I wanted to be sure that, in this important corner of our state, voters are going to be ready," Nelson said as she stood before the Enrique Moreno County Courthouse "I have a key message for Texans, and that message is to make a plan for voting."

"As Texas Secretary of State," she added, "my goal is to make sure that every qualified Texan who wants to vote has all of the information they need to cast a ballot."

What are key dates for the March 5 primary?

While the state's election website includes all of the details Texas voters will need to cast a ballot, Nelson took the time during her stop to lay out some key dates still on the horizon for the March 5 primary and beyond.

While the last day to register to vote in the primary was Feb. 5, Nelson encouraged those who missed the deadline to register so they could participate in other elections this year, most notably the General Election on Tuesday, Nov. 5.

Other key dates include the following:

- The last day to apply for a ballot-by-mail is Feb. 23
- Early voting runs from Tuesday, Feb. 20, until Friday, March 1
- The Super Tuesday primary is on Tuesday, March 5

What documentation is needed to vote?

When casting a ballot in person, Nelson said Texas voters will need one of the following seven forms of identification:

- A Texas driver's license
- A Texas personal identification form
- A U.S. passport
- A Texas handgun license
- A military identification card
- A citizenship certificate or
- A Texas election identification certificate

Voters who do not have or cannot acquire one of these seven forms of identification can fill out a reasonable impediment declaration at the polls that will allow them to use an alternate form of identification, such as a utility bill or bank statement.

Who can vote by mail?

Nelson noted that for voters casting ballots by mail, "some things may have changed since the last time" they voted.

Texans eligible to vote by mail include voters over 65, voters who are sick or disabled, pregnant women expecting to give birth within three weeks of Election Day and voters who will be out of the county throughout the early voting session and Election Day.



Additionally, voters casting ballots by mail must include one of the following on their vote-by-mail application and when submitting their ballot:

- A Texas driver's license
- A Texas personal identification card
- An election identification card or
- The last four digits of their social security number

If a voter lacks one of these forms of identification, they must check the appropriate box on their application or carrier envelope.

"The important thing is to make a plan," Nelson said, "not only who you're going to vote for, but how you can cast your ballot, what information you will need."

[\[BACK TO TOP\]](#)

Texas voter registration reaches new high ahead of primary election

Morgan Severson
Houston Chronicle
February 21, 2024

[www.houstonchronicle.com /politics/texas/article/texas-voter-registration-election-18678166.php](http://www.houstonchronicle.com/politics/texas/article/texas-voter-registration-election-18678166.php)

People vote at the West Gray Multi Service Center on Election Day on Saturday, Dec. 9, 2023, in Houston. Raquel Natalicchio/Staff photographer

More than 17.9 million people are registered to vote in Texas ahead of the March 5 primary election, [a new high](#), according to Texas Secretary of State Jane Nelson.

Roughly 17.2 million Texans were registered to vote [before the March 2022 primaries](#), while 16.2 million were registered ahead of the March 2020 primaries.

Experts say the increase is likely caused by population growth and does not necessarily foreshadow a change in voter turnout.

Texas' population grew by nearly half a million people last year, the largest numeric change of any state in the country, [according to the U.S. Census Bureau](#). The state is now home to an estimated [30.5 million people](#).

Most people "register to vote out of reflex," such as when they are given the option to add their name to the voter rolls when they get a driver's license, said Brandon Rottinghaus, a University of Houston political science professor.

"Just because a person's registered doesn't mean they're going to vote," Rottinghaus said. "They may be registered for all kinds of reasons that are disassociated from their desire to actually go vote."

Newly registered voters are typically people who recently moved to Texas or those who just turned 18. The first group, who tend to be older and have more experience voting, are those who more likely to cast a ballot, said Cal Jillson, a Southern Methodist University political science professor.

Article continues below this ad

"Less than a third of people between 18 and 25 actually turn out and vote, even in a presidential election," Jillson said. "Younger people just entering the electorate turn out at lower rates than older people are more experienced with politics and elections."

Matthew Baiza, Texas state director for NextGen America, an organization that mobilizes young people to vote, said low turnout among younger voters shows the need for politicians and campaigns to better engage them in the political process.

"We know that Texas is a young state that's full of opportunity and promise for young people if they're allowed to engage and participate in the process," Baiza said. "Which means getting registered to vote is just like that first step."

Rottinghaus said despite the growing number of registered voters, political campaigns focus on mobilizing "likely voters" who tend to be people who regularly cast ballots.

"People who don't have a voting history may be prolific voters in the future but it's less well known and therefore candidates and campaigns are less likely to try to get them to go out to vote," Rottinghaus said.

[\[BACK TO TOP\]](#)

Most Texas voters say political violence "likely" over 2024 election, poll finds

Michael Adkison

CBS Austin

February 21, 2024

[cbsaustin.com /news/local/most-texas-voters-say-political-violence-likely-over-2024-election-poll-finds](https://www.cbsaustin.com/news/local/most-texas-voters-say-political-violence-likely-over-2024-election-poll-finds)

Sixty percent of Texas voters say the chances of political violence over the 2024 election results are likely, with nearly a quarter saying it's "very likely," according to new polling from the University of Texas and the Texas Politics Project. (Photo by Montinique Monroe/Getty Images)

AUSTIN, Texas — Some sixty percent of Texas voters say the chances of political violence over the 2024 election results are likely, with nearly a quarter saying it's "very likely," according to new polling from the University of Texas and the Texas Politics Project.

Those results, shared on Monday, come as early voting for Texas' primary election begins, ahead of Super Tuesday on March 5.

"You don't have to read polls or be somebody that follows politics closely to know that the country is very divided," James Henson, the director of the Texas Politics Project, said to CBS Austin. "I think the fact that people are worried about violence in the aftermath of the 2024 election is bad, maybe even tragic, news in terms of the state of politics in the country. But it shouldn't be very surprising."

In fact, other polls from across the country have found similar results, particularly following the 2020 election's unfounded allegations of election fraud, resulting in the January 6 storming of the U.S. Capitol.

Notably, the same poll found that 58% of respondents believe Joe Biden legitimately won the presidential election in 2020, but some 31% say he didn't. Another 12% say they're unsure.

"Both parties have an obligation to be pushing back against that distrust, that lie, and that misinformation about our elections, and calling for calm and easy elections, where everyone can cast their ballot freely from intimidation," Katya Ehresman, voting rights program manager with Common Cause Texas, said.

Ahead of the primary election, Texas Secretary of State Jane Nelson, who presides over the election process in the state, has publicly campaigned her "one-hundred-percent" confidence in fair and accurate elections.

[\[BACK TO TOP\]](#)

Ongoing conspiracies pushed out the elections staff in this Texas county. The new director won't budge.

Natalia Contreras

Vote Beat

February 22, 2024

[www.votebeat.org /texas/2024/02/22/gillespie-county-jim-riley-hand-counting-ballots/](http://www.votebeat.org/texas/2024/02/22/gillespie-county-jim-riley-hand-counting-ballots/)

Votebeat is a nonprofit news organization reporting on voting access and election administration across the U.S. [Sign up for our free newsletters here.](#)

FREDERICKSBURG, Texas — Jim Riley and his team spent weeks preparing for a forum he hoped would remind the public that elections in Gillespie County are "safe, accurate and dependable."

The new county elections administrator expected more than 50 people. He asked a more experienced election official from a neighboring county to be there, in case he needed help clarifying election laws he's less familiar with. He planned for a mock election, setting up voting equipment that the audience could use.

But fewer than two dozen people came. And some — county Republicans and local tea party members — walked out before his presentation ended. They're the same people who Riley believes no longer want him in the job and who have disrupted the way elections are run in the county.

"Yeah, I'm disappointed. But the word will get out. They'll go out and say that 'he's still there. He's still standing'," Riley said.

Riley, 76, intends to stay standing, even if it means standing up to the pressure of local right-wing activists who want him to radically change the way Gillespie elections are run. It's more pushback than he expected when he took the job in August.

"I was just surprised. But I am dealing with it," Riley said. "I'm not quitting."

That's no small commitment, considering Gillespie's recent history. A little more than a year ago — following years of harassment by local right-wing activists fueled by

unsupported claims of election malfeasance and conspiracy theories — [the entire elections department in this Hill Country county quit](#).

Six months into his new role, Riley has signaled that he will not easily bend to the activists' demands to fix county election problems that don't exist. Since before he took the job, they have been mounting a pressure campaign [to convince local officials to get rid of its electronic election equipment](#) and switch to checking in voters on paper and [counting votes by hand](#).

"If they thought that I was one who would follow along on this, then they were badly misinformed," Riley said. "I stand by what I said: a hand count will not make elections in Gillespie better."

Become a Votebeat sponsor

A Republican and a semi-retired Presbyterian minister, Riley said when he sees a need, he turns to it and serves.

"In my own personal walk with Jesus, I want to be doing things that would be considered worthwhile. And right now that seems to be this job," he said.

On Feb 6, 2024 Gillespie County elections administrator, Jim Riley, tells residents how difficult it would be to steal a ballot by going over the chain of custody process and what election workers and county officials do to ensure that ballots are kept secure. (Maria Crane / The Texas Tribune)

"Thrown into a hornet's nest"

Although Riley says he's got what it takes to endure the big election year ahead of him, some residents worry the county may be at risk of losing yet another election director.

After the entire elections staff quit in the summer of 2022, county officials spent months looking for a new elections director. Riley had been a precinct judge — tasked with supervising polling locations — for the local Republican Party for years, which meant he was familiar with how elections in the county were run. While the job was vacant, he helped manage early voting during the November 2022 midterm election and helped the county clerk in the months that followed. County officials encouraged him to apply for the job; he did so in June.

Meanwhile, some Republicans and activists had been organizing an effort aimed at convincing county executives to ditch electronic voting equipment and instead use volunteers to hand-count ballots.

“We can do this in Gillespie and in the surrounding Hill Country because we’re small enough and we have enough people who want to know the truth,” Angela Smith, a poll watcher and a founder of the Fredericksburg Tea Party, said in July at an event featuring out-of-state election conspiracy theorists promoting hand counting – a method experts say is inaccurate and far more costly.

More than 20,000 registered voters live in Gillespie and about 80% are Republican.

Although county executives dismissed the push to hand count, by the time Riley was appointed to his new position, [Republicans had decided they’d hand count in the March primary election](#) – a move state officials had warned would require double the amount of workers and volunteers, of resources and a risk of legal challenges from candidates, but a decision the party was legally allowed to make.

Mo Saiidi, then the chairman of the county’s Republican Party, resigned last fall following his opposition to the party’s decision to hand-count ballots in the primary election.

“Anybody who would have come into that job would have been thrown into a hornet’s nest, to be honest with you,” Saiidi said.

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Saiidi was a member of the election commission that appointed Riley. He said the county was left scrambling when former elections administrator Anissa Herrera — who’d run elections there since 2019 — and her staff quit. He’s concerned that it could happen again.

“It’s the same now with Jim there,” Saiidi said. “The same barrages of baseless complaints. This is not healthy, we’ve gotta do something. We need to let them do their jobs.”

“The will of the people”

Texas law allows the political parties to choose the ballot counting method for the primary elections. For the March 5 primary, Republicans in Gillespie have decided they’ll hand count all ballots cast during early voting and on election day.

The party is also taking an additional step to make its election more analog. On election day, the party will ditch electronic poll books, used to check voters in at the polls. Instead, they’ll use printed voter rolls prepared by Riley’s staff.

But during early voting, under Texas law, it’s Riley who gets to decide how to check in voters at the polls during that two-week period. And he has insisted on using the county’s electronic poll book – a system he says is reliable and more efficient in what is typically a high-turnout election.

That's upset the local activists, who falsely believe election officials can use the electronic poll books to manipulate election results.

For weeks, Republicans and Tea Party members who opposed using the electronic poll books have sent out a 'call to action' for residents, asking them to write letters to county Judge Daniel Jones and other county commissioners in hopes they will tell Riley to change his mind.

Over a week ago, Republican precinct chairs Tom Marschall and David Treibs created a 20-minute video about Riley's decision to "do something other than what the people want," posting it on social media. In the video, they also suggested that residents ask the county to get rid of the elections administrator position entirely and give those duties to an elected official, such as the county clerk or the tax assessor-collector. Marschall told Votebeat that if Riley were to "abide by the will of the people" he wouldn't have raised these issues.

"We just want to do it the old fashioned way and do it on paper, and nobody's going to be able to add 1,000 names to that list when I'm sitting there, guarding it," Treibs — who could not be reached for comment — said in the video. "Nobody's gonna mess with that stuff when I'm there. I can guarantee you that."

In the video, he went on to say that because Riley isn't elected, "Jim Riley doesn't answer to anyone and I don't think that's a good thing. But we want to try to pressure him and... be nice of course."

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Election administrators are nonpartisan positions appointed by an election commission made up of the county clerk, the tax assessor-collector, the chairs of the local political parties and the county judge.

A poll pad with an ID check-in is active prior to Gillespie County residents checking in for the mock election hosted on Feb. 6, 2024. The poll pad is used for voter check-in and verification for county and precinct. (Maria Crane / The Texas Tribune)

"Right now, I'm experiencing a mess"

So far, Riley hasn't budged on the demands from the activists. Instead, he's been focused on rebuilding trust and learning as much about elections as possible. In January, he attended a conference and training for Texas election administrators, networking with other election directors across the state and with staff at the Texas Secretary of State's Office.

He says he often calls election directors from neighboring counties for advice and doesn't shy away from admitting that he still has a lot to learn. He takes tips and examples on what he can do to rebuild trust in local elections. The lightly attended public forum was one such attempt.

With the pressure of learning the ins and outs of elections, in a state where laws are often changing, and in a county where election officials have in the past found the job to be too much, some election administrators say support from county commissioners — who control the county's budget and resources allocated for the elections department — goes a long way.

In Llano County, about 30 miles north of Gillespie, Andrea Wilson has been the elections administrator for over a year. She quickly learned that the job required her to become an election law expert, a record-keeping expert, a logistical manager, a trainer for election workers, a budget strategist and an office administrator to keep track of supplies, among other duties.

And the hours of work are extensive. Wilson's kept track: The two weeks of early voting now covers 115 hours that election administration staff must be present in the office and an additional 17-plus hours on election day, she said.

"With all of that resting on your shoulders, could you then imagine having to fight with your county commissioners for the staff necessary to support that mission or a budget to pay for all the necessary supplies?" Wilson said. "Or even worse is adding to your already overflowing plate the spread of misinformation."

Without support, Wilson said she wouldn't have lasted a year on the job in Llano. She said it should be "the standard" for all counties to provide that kind of support to their elections departments.

When Herrera, the previous elections administrator in Gillespie quit, [in her resignation letter](#) she told county officials that "the threats against election officials and my election staff, dangerous misinformation, lack of full-time personnel for the elections office, unpaid compensation," had in part made the job "unsustainable."

Her staff was made up of one more full-time employee and a part-time employee. She'd asked county officials for two more full-time employees but the county only approved one and it's unclear whether it was filled or whether the county plans to allocate funding to pay for additional workers in the future. Gillespie County Judge Daniel Jones did not respond to Votebeat's multiple requests for comment about how the county plans to support its elections department and to help retain election staff in Gillespie.

The number of people working in the Gillespie elections department remains the same: two full-time employees, including Riley, and one part-time employee.

Although at times he admits the pressures of the job can be overwhelming and frustrating, Riley told Votebeat he is confident he has the support of Jones and other county commissioners. And he relies on his faith often to keep at it, any time he's discouraged, he said. But he's committed to running elections in the county as long as he can.

"In the midst of everything that is just kicking you in the butt. If you spend a little time in the word, spend time in prayer and you seek it through Jesus. You'll be amazed at what he allows you to experience," Riley said. "So, right now, I'm experiencing a mess, but I haven't felt alone in it at all."

Natalia Contreras covers election administration and voting access for Votebeat in partnership with the Texas Tribune. Contact Natalia at ncontreras@votebeat.org.

[\[BACK TO TOP\]](#)

States prepare for election security threats and challenges - Marketplace

Kimberly Adams

Marketplace

February 21, 2024

[www.marketplace.org /2024/02/20/after-the-chaos-of-2020-states-are-preparing-for-election-challenges-and-threats/](https://www.marketplace.org/2024/02/20/after-the-chaos-of-2020-states-are-preparing-for-election-challenges-and-threats/)

Election managers are training poll workers in customer service and de-escalation techniques, says Texas official Christina Worrell Adkins. Brandon Bell/Getty Images

If 2020 was any indication, real and perceived threats to this year's election will likely result in legal challenges. Potentially, those threats could create risks to the physical safety of election officials and poll workers.

Already, election officials across the country have been laying the groundwork to boost confidence in the results come November.

Two federal agencies primarily work on elections: the Federal Election Commission, which deals with campaign finance, and the [Election Assistance Commission](#), which handles administration. A big part of the EAC's work is identifying best practices in running elections.

Some of those practices were shared at the [2024 Elections Summit](#) at the University of Maryland, where dozens of state and local election officials joined with federal officials and academics to discuss how to protect the upcoming vote.

In addition to providing training and resources, the agency serves as the conduit for federal funds that support state election offices. The EAC has funneled close to \$1 billion to the states since 2018, according to Chair Christy McCormick. Money filters down to local election authorities, she said, which spent it on “hardening offices and putting cameras on the machines. We’re talking about security for the poll workers, we’re talking about cybersecurity, getting the right kinds of software and tracking devices.”

But many local officials who attended the event see that kind of influx of federal cash as a thing of the past.

“The majority of the funding that came through 2020 was COVID money. It was to offset having to increase costs for [personal protective equipment] and social distancing,” said Brianna Lennon, county clerk in Boone County, Missouri. “And that money is not coming back.”

The EAC can’t send money to the states without a formal appropriation from Congress, and since the federal government has been operating without a formal spending package for months now, Lennon and others expect not much else will come down the pipeline in time for the November election.

“I don’t have any confidence that we’re going to get an increase of anything,” she said. “So whatever we have from our local budgets, which is what funds 90% of our elections, is what we’re working with.”

Security is a big focus of the available funds, said Christina Worrell Adkins, director of elections for the state of Texas.

“The threats that we’re becoming more aware of and that we need to prepare for have evolved from those of the cybersecurity nature to something that’s more surrounding our physical security,” she said. “I think that’s just because we’ve seen the temperature rise across the country.”

Adkins said election officials are training poll workers in customer service and de-escalation techniques to hopefully stop any threats of violence.

Nevada recently [invested \\$30 million](#) in upgrades of its election system, and although Secretary of State Cisco Aguilar called that an unprecedented amount, additional legal protections are also important, he said.

“We [made it a felony](#) to harass or intimidate election workers and poll workers,” he said. “Anti-doxxing legislation was important. And so we’re making election workers feel safe in the environment in which they’re working.”

In addition to security, election officials at the summit said they’re focusing the bulk of their preparation on what they see as the best strategy to avoid problems on Election Day: voter education.

Washington Secretary of State Steve Hobbs is asking his legislature for \$1.2 million for “digital ads, radio ads, TV ads to remind people not just to vote, but what the voting process is. So for example, ‘Don’t forget to vote, [and] oh, by the way, the tabulation machines are not connected to the internet.’”

Hobbs and others said those kinds of messages can help prevent misinformation from taking hold by encouraging voters to turn to the folks who actually run elections as trusted sources of accurate information.

“The best way to combat misinformation is the truth,” Hobbs said.

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[\[BACK TO TOP\]](#)

Y'all-itics preview - Election 2024: Is Texas breaking its own law?

Texas, along with eight other Republican-led states, abandoned the national, data-sharing program called ERIC, without a replacement yet.

DALLAS — It was one of the state’s best weapons to fight against voter fraud.

But Texas, along with eight other Republican-led states, abandoned the national, data-sharing program called ERIC, or the Electronic Registration Information Center.

As Texans head to the polls for the primary, Republican leaders have yet to replace the program with anything.

“I think that Republicans have really shot themselves in the foot here. They want to talk to you about dead voters. They want to talk to you about duplicate registration. They want to talk to you about out-of-state voters. Like this is the system we use to get those people off their list,” Jessica Huseman explained to us on Y’all-itics.

Huseman is the Editorial Director of Votebeat, a nonprofit news organization that reports on elections across the country. Its reporters have covered ERIC, and the Republican pullback, extensively.

When we asked Jessica how accurate the voter rolls are currently in Texas, she bluntly told us “not very.”

Among its many responsibilities, ERIC keeps voter rolls clean by providing officials with reports that identify inaccurate or out-of-date voter registration records, deceased voters, individuals who appear to be eligible to vote but who are not yet registered, and possible cases of illegal voting.

And Huseman says the reality of the situation is that those states that left ERIC now receive less accurate data, if any data at all, and that means less accurate elections.

“Right now is when election administrators are trying to figure out where polling locations are, trying to figure out how many polling locations they need, trying to figure out how many ballots to print. Like this is an incredible logistics process that costs thousands and thousands and thousands of dollars,” Huseman explained. “And so, if you’ve got 4,000 extra voters on the roll, right, like that is a resource problem. And that becomes a taxpayer problem.”

Huseman also tells us there’s a law in Texas that requires the state to participate in an information sharing program.

Since there’s no replacement in place for ERIC, the state could, technically, be breaking its own law.

And Huseman says, kind of like a self-fulfilling prophecy, the more states that leave ERIC, the less useful it becomes.

24 states and the District of Columbia are still members. But their data is now less accurate as well.

“So for example, most out-of-state voters that live in New York moved to Florida. But Florida is not participating in ERIC anymore. And so, New York's participation in ERIC becomes dramatically less useful. Texas isn't participating, and so, New Mexico's becomes significantly less useful. So does Arizona because that's where they're going,” she said.

All of this will now be left up to your local elections administrators without the benefit of sophisticated equipment and know-how.

And voters will be the ones who suffer, showing up at the wrong polling location, for example, or having a ballot rejected after being asked to cast a provisional ballot because they’re not on the rolls.

“Transporting and using government data effectively is a massive, massive job that takes an incredible amount of server space, that takes an incredible amount of technological understanding. ERIC was essentially providing that on behalf of the entire country,” Huseman said.

Jessie also explains the “two-part” problem facing Texas now that it has left ERIC, a “mess in, mess out” as she describes it. And you’ll want to learn why come election night, she’ll be keeping a close eye on the small central Texas county of Gillespie, home to Fredericksburg. Can they possibly hand count all of those paper ballots? Listen to the entire episode to learn more. And go vote. Cheers!

Podcast: <https://www.wfaa.com/yallitics> (suggest listening to full podcast for everything said.)

[\[BACK TO TOP\]](#)

Move local elections from May to November? No, says charter review group

Devyani Chhetri
Dallas Morning News
February 21, 2024

www.dallasnews.com/news/2024/02/21/move-local-elections-from-may-to-november-no-says-charter-review-group/

Dallas City Charter Commission shot down an amendment that would municipal elections from May to November (Juan Figueroa / Staff Photographer)

On Tuesday, the Charter Review Commission, working its way through the city’s constitution, shot down a measure to move municipal elections from May to November.

Members who favored the change said residents are demonstrably more involved in November, especially during a presidential election. But many on the commission were wary of meshing partisan politics with local elections and voted 9-6 against it.

Angela Hunt, former council member and District 14 commissioner, said her experience on Dallas City Council allowed her to work on local issues with people who she did not agree with on national politics.

“If we begin to interject national partisanship into our local government, we will lose that camaraderie, that ability to work together,” Hunt said. “We will be focused on issues that should not be addressed and cannot be addressed at the local level.”

[City elections have always been a low turnout affair.](#) Fewer residents step out to vote in municipal elections, [much to the dismay of voting rights advocates.](#)

District 1 Commissioner David de la Fuente, the lead advocate, said November elections could reduce the cost of conducting separate elections and give Dallas an extra 27 hours of open polling stations for voters to cast their ballot in person.

“It is not a theory. It is not an idea. It is something that happens in Texas regularly,” De la Fuente said about a similar measure in El Paso.

Other advocates like former Mayor Mike Rawlings, as per a memo read out to the commission, said cities like Houston have seen a consistent turnout of over 20% in the last three elections. Dallas, comparatively, has lagged behind. Last year, [only 8.8% of Dallas voters participated in the municipal elections](#).

Rawlings, in his memo, also said the city risks driving down turnout by holding as many five different ballot measures between March and December this year.

“This is a broken system,” he said.

Adam McGough, District 12 commissioner and former council member, said moving the elections to November was not going to solve the problem. There was voter apathy, he said. Adding City Council races to the ballot would crowd an already stacked list.

“Many of the people I talked to get down to the bottom, and they’re just not paying as close attention,” McGough cautioned.

The committee, required to review the city’s charter every 10 years, next meets March 5, 6:30 p.m.

[\[BACK TO TOP\]](#)

Tarrant County rejects free rides to the polls program ahead of the Texas primaries

Megan Cardona

KERA News

February 21, 2024

www.keranews.org/government/2024-02-21/tarrant-county-texas-primary-free-rides-to-the-polls-end

Tarrant County will not offer free rides to the polls in this year's Texas primary elections.

A request to fund the program in partnership with [Trinity Metro](#) was rejected by commissioners during the Tarrant County Commissioners Court meeting on Wednesday. The vote was 3-2 along party lines, with the two Democrats on the court voting to fund the program.

County Judge Tim O'Hare spoke out against the program, which was offered during elections from 2019 through 2023. Although the program was not approved countywide in 2023, it was approved for Fort Worth voters.

"I don't believe it's the county government's responsibility to try to get more people out to the polls," he said. "It's the responsibility of candidates, it's the responsibility of political parties, it's the responsibility of political groups."

The program would have given free rides for Tarrant County residents to voting locations for the March 5 primary election, early voting for the May 28 runoff election and on runoff election day.

But O'Hare and Commissioner Manny Ramirez said the program benefited a small section of the county.

"Unless we can find a contract with transportation providers that will actually go to their locations and help them out, then I think that it's an unfair deal," Ramirez said. "If Trinity Metro wants to provide it to their existing customers, then they are free to do that."

Trinity Metro released a statement following the decision.

"Trinity Metro understands that the Tarrant County Commissioners have voted to not work together on Election Day transportation," the statement read. "We are disappointed to see the partnership come to an end."

In a statement, Ashley Harris, ACLU of Texas attorney, said Texas counties should do everything in their power to make voting accessible.

"This includes addressing financial barriers for voters who rely on public transportation," Harris said.

Commissioner Roy Brooks joined Commissioner Alisa Simmons in opposing the program's removal.

"We have a responsibility to make it easy for people to vote," Brooks said. "Period."

This is the first March primary since [former county Elections Administrator Heider Garcia stepped down](#) last year following a meeting with O'Hare.

In his resignation letter, Garcia said the meeting revealed differences in values between him and O'Hare.

Garcia was [praised by former Secretary of State John Scott](#) for being the "prototype for an election administrator," according to Votebeat, a nonpartisan news outlet that covers elections and voting.

His sudden resignation [caused friction and heated conversation](#) among other commissioners.

During the search for Garcia's replacement, O'Hare said he would not [disqualify candidates who questioned the authenticity of the 2020 election results](#) from the search.

The new Elections Administrator Clint Ludwig was [unanimously voted](#) into the position last summer.

KERA News reporter Miranda Suarez contributed to this report.

Got a tip? Email Megan Cardona at mcardona@kera.org.

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[\[BACK TO TOP\]](#)

Texas Congress members to hold briefing with USPS officials to address ongoing mail delays

Donnie Tuggle

KBTX

February 22, 2024

[www.kbtx.com /2024/02/22/texas-congress-members-hold-briefing-with-usps-officials-address-ongoing-mail-delays/](http://www.kbtx.com/2024/02/22/texas-congress-members-hold-briefing-with-usps-officials-address-ongoing-mail-delays/)

MISSOURI CITY, Texas (KBTX) - District 17 Congressman Pete Sessions along with Congressmen Al Green and Troy Nehls, are set to tour a Houston USPS processing center Thursday to learn more about delivery delays impacting Texas.

The Missouri City, TX facility, identified as the source of ongoing issues, has raised concerns among residents and businesses across the Brazos Valley and Central Texas for months.

In early February KBTX spoke with a [Leon County resident who waited over 30 days](#) for delivery of heart medication that was shown on hold at the postal processing center in Missouri City.

Earlier this month Congressman Michael McCaul from the Brazos Valley and Senator John Cornyn from Texas sent a letter to the Postmaster General expressing their concerns. The lawmakers say they have received multiple reports from constituents who have experienced delays.

Their letter said in part, "Our constituents depend on USPS to carry out these services in a timely and efficient manner. When this mission cannot be completed, customer service representatives must be available to address the issue, and the agency must be transparent regarding delays or changes in services."

It's believed these delays are caused by failure to implement new processing technology. They are calling for more [public transparency](#) to affected customers.

The United States Postal Service previously released a statement about the issues.

"We are aware of concerns from some local Houston customers regarding their mail delivery. We want customers to know that we continue the expansion of our operations in the Houston area because of increased volume and we are adding additional capacity with a new facility to improve service. The Postal Service has dispatched additional resources from the surrounding area and implemented improved processes to address the root causes of sporadic issues to improve the reliability of mail delivery in the Houston area. Customers should also note that multiple severe weather events in Houston and across the nation have impacted many transportation, logistics, and delivery companies, and the Postal Service is no exception. We express our apologies to those who experienced a deviation from our normal dependable service and customers should already see improvements in delivery as we work through these issues."

Thursday's site visit will not be the first for some state and federal leaders. Congressmen Randy Webber of Beaumont and Morgan Lutrell who represent parts of Walker and Montgomery Counties held a press conference outside the facility earlier this month after being denied access. Rep. Al Green, a Houston-area congressman also spoke out about the ongoing shipping delays at the facility. During a press conference, he called on the postal service to take action and be transparent with customers experiencing delays.

"When they have a line of credit with the federal government, they ought to be standing before the cameras answering these questions. And we're going to push them in that direction," Green said.

"You have to assume that every package is important. Every package may have something that can actually have a circumstance associated with a person's life," Green added.

While the briefing and site tour are not open to the public or media, the congressmen plan to meet with reporters afterward to discuss potential solutions.

“It is important that the post office deliver on time the packages, and I can understand a day or two off, I cannot understand a week or longer, and so this, this was something that is very important that we get corrected,” said Rep. Sessions.

KBTX will be on-site in Missouri City, seeking answers from the representatives, with updates on News Three at Six.

[\[BACK TO TOP\]](#)

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Assistant Secretary of State for Communications
Office of the Secretary of State
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From: Alicia Pierce
Sent: Thursday, September 21, 2023 7:55 AM
To: Alicia Pierce
Subject: Secretary Nelson in the News



Texas Secretary of State Morning News Clips September 21, 2023

[Constitutional Amendment Election: important dates](#) *KAMR*
September 20, 2023

[After leaving bipartisan voting information group, Virginia announces new data-sharing agreements](#) *Associated Press*
September 20, 2023

[Harris County election judges say they're ready for November](#) *Houston Chronicle* September 20, 2023

[More military personnel head to the US-Mexico border as officials describe an increase in migrant crossings](#) *CNN*
September 21, 2023

[Texas DPS renew enhanced vehicle inspections at Mexican border](#) *Dallas Morning News* September 20, 2023

Constitutional Amendment Election: important dates

Victoria Reyes
KAMR
September 20, 2023

www.myhighplains.com/news/your-local-election-hq/constitutional-amendment-election-important-dates/

AUSTIN, Texas (KAMR/KCIT) — Today, Jane Nelson, Texas Secretary of State, reminded Texans to prepare for the upcoming constitutional amendment election on Nov. 7.

“Texans will have the opportunity to vote on 14 proposed amendments to the state constitution, and some local governments will also hold elections this November,” said Nelson. “Now is a good time to take note of upcoming election deadlines and prepare.”

Important dates include:

- **October 10** – The last day to register to vote in time for the Nov. 7 election
- **October 27** – Last day to apply for a ballot by mail
- **October 23** – Early voting begins
- **November 3** – Last day of early voting
- **November 7** – Election Day, polls open from 7 a.m. to 7 p.m.

According to the press release, after the passage of House Bill 357 during the 88th Legislative Session, the Secretary of State’s office is now required to set the date of a runoff election resulting from an election held on a uniform election date. The runoff date for the Nov. 7 election will be Dec. 9.

Officials stated that there are no runoffs for constitutional amendments. However, runoffs may be required for some local and special elections.

This information and all the details for casting a ballot can be found [here](#).

Officials also said that explanatory statements for the constitutional amendments from the Office of the Secretary are available online, and the Texas Legislative Council offers [Analyses of Proposed Constitutional Amendments](#) complete with background information for each amendment.

*For the latest [Amarillo news](#) and regional updates, check with [MyHighPlains.com](#) and tune in to **KAMR Local 4 News at 5:00, 6:00, and 10:00 p.m. and Fox 14 News at 9:00 p.m. CST.***

[\[BACK TO TOP\]](#)

After leaving bipartisan voting information group, Virginia announces new data-sharing agreements

SARAH RANKIN
Associated Press
September 20, 2023

[www.houstonchronicle.com /news/politics/article/after-leaving-bipartisan-voting-information-18379230.php](http://www.houstonchronicle.com/news/politics/article/after-leaving-bipartisan-voting-information-18379230.php)

RICHMOND, Va. (AP) — Months after withdrawing from a data-sharing interstate compact to fight voter fraud, Virginia Gov. Glenn Youngkin's administration on Wednesday announced a series of recent steps it has taken to improve the accuracy of the state's voter rolls.

Among them is the launch of new, individual data-sharing agreements with five other states and Washington, D.C., the Virginia Department of Elections said in a news release. The six agreements will

enable Virginia to “securely compare voter lists” with Washington, Georgia, Ohio, South Carolina, Tennessee and West Virginia and “identify potential voter fraud” and duplicate registrations, the Department of Elections said in a news release.

“Secure elections start with accurate voter lists,” Elections Commissioner Susan Beals said Wednesday, two days before the start of early voting in this year’s legislative elections. “Virginia now updates our voter list using data coming directly from one-to-one data sharing agreements with neighboring states and partnerships with state and federal agencies.”

While the department in its news release and [a recent annual report](#) held the new agreements and other initiatives out as improvements from the work of past administrations, Democrats argued they were no substitute for participation in the bipartisan Electronic Registration Information Center, or ERIC, which Virginia left in May.

"It's undoubtedly not as good as ERIC. There's just fewer states that are involved," said Aaron Mukerjee, an attorney and the voter protection director for the Democratic Party of Virginia.

Virginia was one of the founding members when ERIC was formed in 2012, an effort promoted by then-Republican Gov. Bob McDonnell. It's a voluntary system that aims to help around two dozen member states maintain accurate lists of registered voters by sharing data that allows officials to identify and remove people who have died or moved to other states.

ERIC has also found itself in the crosshairs of conspiracy theories fueled by former President Donald Trump's false claims about the 2020 presidential election.

Beals in May gave several reasons for the decision to end the state's membership. They included recent departures by what was then seven other GOP-led states, cost concerns, incomplete participation by Virginia's bordering states and “increasing concerns regarding stewardship, maintenance, privacy, and confidentiality” of voter information. She said Virginia would look for other ways to “partner with states in an apolitical fashion” on the issue.

Andrea Gaines, a spokeswoman for the department, said in response to questions from The Associated Press about the new data-sharing agreements that “the process for sharing voter lists between states is underway and meetings between these states' IT teams have been occurring.”

She did not respond to a question about the estimated annual cost of the new arrangement.

Neighboring states North Carolina and Maryland aren't among those with which Virginia has reached a data-sharing agreement. But the department has reached out to all of its border states to initiate voter list comparisons as required by state law, Gaines said.

In addition to the new agreements, the department said it had conducted, for “the first time ever,” change of address mailings to voters who may have moved.

“The mailings took place in February and July 2023 and identified a record number of 260,653 inactive voters. ELECT promptly set these voters to inactive status, beginning the process of removing them from the voter list, as required under the National Voter Registration Act,” the news release said.

Inactive-status voters will still be able to cast a ballot in the upcoming elections but will be asked to update their registration, Gaines said.

“If a voter stays in inactive status for four years, they will be removed from the voter rolls according to federal law,” she wrote.

The department is also collecting license plate surrender data from “more states than ever before,” the news release said, and will use it to contact voters who may have left Virginia and offer information about how to cancel their voter registration.

The agency also said it had conducted a historical audit of death records dating back to 1960 and canceled the registrations of 77,348 dead voters over the past 12 months.

Virginia voters can [check their registration status](#) online.

[\[BACK TO TOP\]](#)

Harris County election judges say they're ready for November

Jen Rice
Houston Chronicle
September 20, 2023

[www.houstonchronicle.com /politics/houston/article/election-judges-harris-county-instability-18359684.php](http://www.houstonchronicle.com/politics/houston/article/election-judges-harris-county-instability-18359684.php)

Many veteran election judges said they're returning for duty despite recent changes and challenges to election administration. This comes as welcome news, given that Harris County will need 1,400 election judges to run its estimated 700 polling locations in the upcoming November election.

Earlier this month, a state law [abolishing the county's Elections Administrator's Office](#) went into effect, handing over duties for running elections and voter registration to Harris County Clerk Teneshia Hudspeth and Harris County Tax Assessor-Collector Ann Harris Bennett. The two offices previously were in charge of elections until 2020, when Commissioners Court voted to create an appointed elections administrator position.

Another law went into effect that creates a provision for the state to remove those elected officials if a “recurring pattern of problems” is not rectified.

But the county's elections have been under increased scrutiny for years, dramatically escalating this year with state legislation eliminating its elections office, [pending litigation](#) challenging the results of last year's November election and an [ongoing investigation](#) by the Texas Rangers and the Harris County District

Attorney's Office into a [ballot paper shortage](#) last year that had workers scrambling at a small percentage of the county's polling sites.

ELECTION TRANSITION: [Harris County's election chief won't stay on through office transition prompted by new state law](#)

In addition to those developments, election judges have had to contend with several leadership changes — Hudspeth is the sixth person in six years to run Harris County elections — and new voting equipment, which debuted in 2021 but still presents some difficulties with processing a lengthy two-page ballot.

Despite the title, an election judge isn't a judicial position. Ordinary citizens — such as retirees, teachers and lawyers — are trained to run Harris County's polling locations while voting is underway. During a general election, like the one coming up in November, each polling place needs one judge from each party, in addition to a small staff of paid election workers supporting them.

Returning for duty

Kellianne Hill, a Democratic election judge, signed up to work in November, as did her friends.

"About 10 of us have a group text. We're all going to do it again," Hill said.

Hill's polling location in the Heights was one of around 20 that ran out of ballot paper on Election Day last year. She was crushed when she had to send voters to other polling sites, but she said the day was an otherwise positive experience.

"We had so many voters, and it was going so smoothly," Hill said. "It was just the simple running out of ballots. Had that not happened ... I would have been happy as a clam."

Hill said she's confident Hudspeth will be able to run a smooth election in November.

Martin Renteria, a Republican election judge, had a ballot paper shortage at his location in Spring as well. He called the experience "frustrating" and "disappointing," but it didn't discourage him.

"That does not make me think twice about continuing on as election judge," Renteria said, adding that this time he will insist that his location begins the day with more paper on hand.

BALLOT PAPER SHORTAGES: [GOP leaders say Harris County's ballot shortage was targeted at Republicans. Here's what the data says.](#)

Harris County's local political parties are responsible for submitting their lists of potential election judges. After Commissioners Court approves the lists, county elections staff get to work contacting those people to find out if they're actually willing and available to serve as judges.

Working Election Day is an essential civic duty, but it can be thankless and exhausting. The job begins before the polls open at 7 a.m., ends long after the polls close at 7 p.m. and often requires the patience and endurance to clear countless paper jams.

Poppy Northcutt, a Democratic election judge in the Galleria area, said working Election Day is so exhausting that she can barely crawl out of bed the next day.

"I always say I don't think I'm up to doing this again," Northcutt said. "But memory fades. I usually end up doing it again."

The challenges of the past couple years haven't made Northcutt reluctant to serve.

"If anything, it makes me feel like they really need to have people who have done this before," Northcutt said.

William A. Harris, a Republican election judge, worked at Trini Mendenhall Community Center in Spring Branch last year, where they had ample ballot paper.

He said he hopes the process will run better now that the county clerk is in charge again. Either way, he plans to keep working.

"I will continue to do it as long as I can," Harris said.

ELECTION TRIAL: [Harris County's November election results in hands of judge as trial concludes](#)

The Harris County Republican Party estimated around 80% of people on its party's list have already accepted their posts for November.

That's because many of them have a "be part of the solution" perspective, according to Harris County Republican Party Chair Cindy Siegel.

"Our precinct chairs and election workers are dedicated now more than ever to serve, especially because of the issues with the county," Siegel said.

Despite frustrations they've experienced at the polls, she said it's rare that one of them is no longer willing to serve, Siegel added.

Nicole Pedersen, voter protection director for the Harris County Democratic Party, said with "all of the turmoil" in the elections office, her team put in extra effort recruiting judges this year.

"We anticipated that we might have trouble recruiting enough election workers, so we began earlier than normal and worked hard on creating a longer nomination list than we've submitted previously," Pedersen said.

Both parties said they're always looking for more residents to work elections.

Help run the polls

Democrats: Send an email to harrisdemocrats@harrisdemocrats.com or visit the website: www.harrisdemocrats.org.

Republicans: Send an email to elections@harriscountygop.com or visit the website harriscountygop.com/become-an-election-worker.

[\[BACK TO TOP\]](#)

More military personnel head to the US-Mexico border as officials describe an increase in migrant crossings

Priscilla Alvarez, Ed Lavandera, Ashley Killough

CNN

September 21, 2023

www.cnn.com/2023/09/21/us/migrant-crossings-eagle-pass-state-of-emergency/index.html

The Defense Department is ramping up resources at the US-Mexico border as officials describe a surge in border crossings in places including Eagle Pass, Texas, where the mayor has declared a state of emergency.

Some 800 new active-duty personnel are being sent to the border, where 2,500 National Guard members already are serving, Department of Homeland Security officials announced Wednesday night in a call with reporters.

The move comes as migrant [crossings along that border are rising](#), reaching more than 8,000 apprehensions on Monday, according to a Department of Homeland Security official. That's up from around 3,500 daily border arrests after the expiration in May of Title 42 triggered new consequences for those who cross the border illegally.

The influx has strained federal resources and overwhelmed [already-crowded facilities](#), officials have said.

Officials gave no clear explanation for what has prompted the latest surge and said they're still working through specific reasons. They continued to identify disinformation from smugglers, poor economies, authoritarian regimes and the climate crisis as forces driving migration.

[Many who leave their homes](#) for the United States face [long and dangerous treks](#) in hopes of finding better, safer lives. Some may flee violence, while others may immigrate for economic opportunities or to reunite with family, experts say. Deteriorating conditions in Latin America exacerbated by the coronavirus pandemic also have contributed to the influx of migrants into the US.

Around 3,000 migrants crossed into the US near Eagle Pass on Wednesday alone, a source familiar with the situation told CNN. Hundreds waited in the city of around 28,000 about 150 miles southeast of San Antonio for transport to a processing facility and were moved out quickly, the source said.

Eagle Pass Mayor Rolando Salinas Jr. declared a state of emergency Tuesday, citing a “severe undocumented immigrant surge” into Eagle Pass.

“The City of Eagle Pass is committed to the safety and well being of our local citizens. The emergency declaration grants us the ability to request financial resources to provide additional services caused by the influx of the undocumented immigrants,” Salinas said in a [news release](#) without providing specifics on the number of migrants encountered.

US Customs and Border Protection is temporarily suspending vehicle processing operations at a crossing in Eagle Pass “in order to redirect personnel to assist the US Border Patrol with taking migrants into custody,” the agency announced in a statement Wednesday.

“In response to this influx in encounters, we will continue to surge all available resources to expeditiously and safely process migrants,” Customs and Border Protection said in the statement. “We will maximize consequences against those without a legal basis to remain in the United States.”

Border authorities in Eagle Pass processed the large influx of migrants on Wednesday in an “orderly way” but warned the administration will “impose consequences” on as many people as possible who crossed, Department of Homeland Security officials said. Consequences could include expedited removals and other penalties available under the Title 8 process.

The US military has long provided support to the Department of Homeland Security on the border, and a surge of personnel to the area is not unprecedented. Troops have generally served in a support role rather than enforcement.

In May, ahead of the expiration of the Covid-era [Title 42](#) restriction, US Customs and Border Protection encountered more than 8,000 people daily and had around 25,000 migrants in custody, raising alarm within the Biden administration.

CNN’s Karol Suarez and Brad Parks contributed to this report.

[\[BACK TO TOP\]](#)

Texas DPS renew enhanced vehicle inspections at Mexican border

Aarón Torres
Dallas Morning News
September 20, 2023

A line of drivers form as they head south toward the recently reopened Pharr–Reynosa International Bridge on S Cage Blvd, following the end of a blockade by drivers in Mexico that started Monday, on Wednesday, April 13, 2022, in Pharr. Drivers in Mexico blocked the bridge Monday in protest of the new border inspection policy imposed by Texas Gov. Greg Abbott. (Juan Figueroa / Staff Photographer)

AUSTIN — The [Texas Department of Public Safety](#) renewed the enhanced vehicle inspections this week at two border points of entry, the first time since last year that state police have relaunched the increased efforts.

The inspections are taking place at the Ysleta-Zaragoza bridge in El Paso and the Camino Real bridge in Eagle Pass, DPS spokesman Travis Considine said. Both began this week and have [not taken place since December 2022](#).

Asked what prompted the inspections, Considine said the agency is committed to enforcing compliance with safety standards and ensuring that roads are safe.

“Cartels do not care about the condition of the vehicles they send into Texas any more than they do about the human lives they cram into tractor trailers,” Considine said in an email. “Our hope is that frequent enhanced commercial vehicle safety inspections will help deter cartel smuggling activity along the border while increasing the safety of our roadways.”

Breaking News

Get the latest breaking news from North Texas and beyond.

Related: [Texas Department of Public Safety renews enhanced vehicle inspections along Mexican border](#)

The inspections were a point of frustration from business leaders in the past.

[Gov. Greg Abbott's](#) office did not immediately respond to a request for comment Wednesday.

Rep. Eddie Morales, D-Eagle Pass, said in a text message that he has received “MANY” complaints over the renewed inspections because of the long wait times for commercial lanes for the bridge.

Wait times for both bridges for commercial vehicles are currently several hours, according to Custom and Border Protection’s website that lists how long it takes to cross.

As of midafternoon, [the Ysleta bridge in El Paso](#) had [a six-hour delay](#) with four lanes open. In Eagle Pass, [one lane was open and had a three-hour delay](#) for the bridge where inspections are taking place.

On Tuesday, Eagle Pass Mayor Rolando Salinas, Jr., [issued an emergency declaration](#) due to a “severe undocumented immigrant surge,” according to a city press release. The state of disaster will last for seven days.

Salinas said in a press conference Tuesday that the influx of migrants has taken a toll on local resources and that the emergency declaration would allow for the city to receive state aid to offset the strain.

Related:[Appeals court lets Texas keep migrant buoys at least 3 more weeks, sets Oct. 5 hearing](#)

Salinas said that he has not received an exact number from the Department of Homeland Security on how many migrants arrived in the city over the weekend.

Tammy T. Melvin, a spokesperson with Customs and Border Protection, which falls under the Department of Homeland Security, said Wednesday that the Eagle Pass office would temporarily stop vehicle inspections at another International bridge in the city to assist border patrol with taking migrants into custody.

“In response to this influx in encounters, we will continue to surge all available resources to expeditiously and safely process migrants,” Melvin’s statement said. “We will maximize consequences against those without a legal basis to remain in the United States.”

Eagle Pass has been a key area of controversy this summer with regards to Abbott’s immigration policies. Over the summer, DPS installed buoys in the Rio Grande in Eagle Pass. The 1,000-foot long floating barrier drew international outrage and condemnation from Congressional Democrats.

The U.S. [Justice Department sued Abbott](#) over the buoys and accused the state of violating a 19th-century law that forbids unauthorized construction in navigable waterways. Texas disagreed that it violated the law.

A federal district judge [ordered Texas to remove the buoys](#) by Sept. 15. However, the New Orleans-based 5th U.S. Circuit Court of Appeals ruled that the buoys can [stay put until at least an Oct. 5](#) hearing on the case.

[\[BACK TO TOP\]](#)

Alicia Phillips Pierce
Assistant Secretary of State for Communications
Office of the Secretary of State
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From: Alicia Pierce
Sent: Friday, October 20, 2023 10:22 AM
To: Alicia Pierce
Subject: Secretary Nelson in the News



Texas Secretary of State Morning News Clips October 20, 2023

[Texas reviewed Harris County's 2022 election. Here's what state officials found.](#) *Texas Tribune* October 19, 2023

[Texas Secretary of State on November 2022 Election in Harris Co: 'Multiple failures conducting the election'](#) *Fox26 Houston* October 19, 2023

[State Audit Finds Harris County Violated Texas Election Law in 2022](#) *TheTexan* October 19, 2023

[Sidney Powell, who made false claims about Tarrant election, pleads guilty in Georgia case](#) *Fort Worth Star-Telegram* October 19, 2023

[Harris County's November 2022 election preliminary audit released](#) *Houston Chronicle* October 19, 2023

[Sidney Powell pleads guilty in Georgia election interference case](#) *Texas Tribune* October 19, 2023

['Multiple failures': Texas Secretary of State releases preliminary findings on Harris County election audit](#) *KPRC* October 19, 2023

[Texas releases another audit of elections in Harris County, where GOP still challenging losses](#) *AP News* October 19, 2023

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Republican states swore off a voting tool. Now they're scrambling to recreate it NPR October 20, 2023

SOS Releases Harris Co. Election Audit Preliminary Findings *KTRH* October 20, 2023

Texas reviewed Harris County's 2022 election. Here's what state officials found.

Jess Huff

The Texas Tribune

October 19, 2023

www.texastribune.org/2023/10/19/harris-county-election-2022-audit/

A preliminary report from the Texas Secretary of State's office found the Harris County's 2022 election administration had "multiple failures" that could have prevented some voters from casting a ballot, but the report stopped short of suggesting the outcome of any race was affected.

The [first draft of the audit](#), which was released Thursday afternoon, days before early voting for constitutional amendments is set to start across the state, reaffirmed the county failed to supply its voting centers with enough paper ballots. It also found its voter registration system listed 9,000 more voters than were recorded with the state and that 3,600 mail ballots were sent to voters that were not reported to the state.

The county — the nation's third most populous — also failed to adequately train election workers, the audit stated.

"Harris County clearly had multiple failures conducting the election and violated election law for estimating needed ballot paper. Mistakes like these led to a poorly executed election which left many Harris County residents frustrated and may have prevented them from voting," Secretary of State Jane Nelson said in a statement. "It is important to talk about these issues now in order to address them before the 2024 election cycle."

Harris County officials declined to immediately comment.

Former Elections Administrator Clifford Tatum previously acknowledged there were insufficient ballots at certain polling locations and failures by the technical team on the field.

The county's mishandling of the 2022 election — which has faced several lawsuits, many of them that have already been dropped or dismissed — sparked a series of legislative debates earlier this year.

Among them, [Republican lawmakers forced the county to dissolve its recently established elections administration office](#), splitting election duties among the county clerk and tax assessor. The fall election will be the first election since the law took effect.

Harris County is suing the state to reverse the law. Oral arguments at the state Supreme Court are expected later this year.

Nelson, in her statement, said she was thankful for the cooperation from Harris County officials and that a repeat of these problems "is unacceptable."

Disclosure: Texas Secretary of State has been a financial supporter of The Texas Tribune, a nonprofit, nonpartisan news organization that is funded in part by donations from members, foundations and corporate sponsors. Financial supporters play no role in the Tribune's journalism. Find a complete [list of them here](#).

[\[BACK TO TOP\]](#)

Texas Secretary of State on November 2022 Election in Harris Co: 'Multiple failures conducting the election'

Ronnie Marley

Fox 26

October 19, 2023

www.fox26houston.com/news/texas-secretary-of-state-on-november-2022-election-in-harris-co-multiple-failures-conducting-the-election

HOUSTON - The [Texas](#) Secretary of State has released [preliminary findings](#) from the audit of the November 2022 election in [Harris County](#).

According to a release, Texas Secretary of State Jane Nelson said, "Harris County clearly had multiple failures conducting the election and violated election law for estimating needed ballot paper. Mistakes like these led to a poorly executed election which left many Harris County residents frustrated and may have prevented them from voting." said Secretary Nelson. "It is important to talk about these issues now in order to address them before the 2024 election cycle."

The preliminary findings show problems with voter registration data, failure to provide necessary supplies to polling places, equipment issues and incomplete paperwork. At least 38 polling locations had no voter check-ins for an hour or more, the release stated.

Some key findings, according to Nelson:

- Harris County's voter registration system included more than 9,000 more voters than were reported to the statewide voter registration system.
- Almost 3,600 mail ballots were sent to voters but not reported to the state.
- The method for determining distribution for ballot paper did not comply with state law and led to a disruption in the voting process and inadequate supplies at some polling locations.
- Harris County failed to adequately train election judges and clerks resulting in incomplete paperwork and problems with voting system equipment.

As of September 1, 2023, there is no longer an elections' administration office in Harris County. Legislation passed earlier this year returned the duties to the county clerk and tax assessor-collector. Nelson stressed that her agency is actively working with these offices to address problems found in the audit.

"I'm thankful for the cooperation we are seeing from the current election offices," said Nelson. "A repeat of these problems is unacceptable for Harris County voters."

Harris County was selected for an audit as part of legislation passed in 2021 requiring audits of four randomly selected counties for the previous two years.

Under legislation passed earlier this year, the Secretary of State's office may assume administrative oversight of Harris County elections following complaints from certain stakeholders and a subsequent investigation. The failures identified in the preliminary findings are based on data and documentation provided by Harris County. Additional findings may be included in the comprehensive report as new information becomes available.

Senator Paul Bettencourt released the following statement Thursday afternoon on the audit:

"The SOS Election Audit recognizes the obvious problems with Harris County's November elections that lead to legislative changes, SB 1750, eliminating the Elections Administrator and returning elections to the elected County Clerk and the Tax Assessor-Collector. Having 9K more voters than were reported to the state system along with 3.6K more ballots sent out to voters but not reported to the state system are serious problems."

Secretary Nelson's report also recognizes the obvious huge problem with ballot paper distribution not complying with state law. This led to a disruption in the whole process and inadequate supplies at polling locations.

Basically, the County Government's Election Administrator left 3 million sheets of ballot paper in the warehouse and didn't get enough ballots to the polls resulting in voter suppression of thousands of votes! Let's hope we NEVER see that again in any major county in Texas!"

In a statement to FOX 26 on Thursday evening, Harris County Clerk Teneshia Hudspeth said,

"The Harris County Clerk's Office is actively working with the Texas Secretary of State's Office to find solutions to the issues cited in the audit of the November 2022 Election. Beginning September 1, I began reviewing and addressing every aspect of the election process and will continue to do so until procedures are in place that will ensure past issues are not repeated.

In my fifteen years of working for two Republican and two Democratic County Clerks, I was part of election teams that conducted successful elections. But the public should know that "successful" isn't the same thing as "flawless." The election office has never experienced a flawless election.

I look forward to working with the Secretary of State's Office to ensure well-organized, transparent, and fair elections. There is plenty of work ahead for all of us, and a great commitment on my part to the voters of Harris County."

[\[BACK TO TOP\]](#)

State Audit Finds Harris County Violated Texas Election Law in 2022

Holly Hansen

The Texan

October 19, 2023

thetexan.news/elections/2022/state-audit-finds-harris-county-violated-texas-election-law-in-2022/article_90766b6a-6ec9-11ee-8e78-133fe0139a2e.html

Texas Secretary of State (SOS) Jane Nelson released a [preliminary report](#) on an audit of Harris County's 2022 elections showing problems with voter registration data, a failure to provide necessary supplies, equipment failures, and incomplete or missing paperwork.

"Harris County clearly had multiple failures conducting the election and violated election law for estimating needed ballot paper," said Nelson in a statement.

Texas [election code](#) requires officials to provide each voting site with ballots equal to 125 percent of voter turnout in the last corresponding election, but Harris County Elections Administrator Clifford Tatum only supplied 600 ballots to locations that had processed twice that many voters in 2018, according to testimony provided in an [election contest trial](#) last August.

The county argued in court that the statute does not apply because it has a county-wide voting system.

Multiple polling locations ran out of ballot paper on Election Day and some election judges testified that they were unable to process voters. Auditors also noted that the county experienced a high volume of spoiled ballots due to equipment malfunctions, further depleting the available supplies at each voting center. In total, there were 12,833 spoiled ballots for the election.

Other problems cited in the findings include inadequate training for election workers, which led to incomplete paperwork and problems with voting system equipment.

Auditors found that at least 38 locations experienced a “gap or cessation of voter check-ins of one hour or more,” but that there may have been more locations affected for shorter periods.

Locations identified with a gap in voter check-ins. Image from the Office of the Secretary of State, "Preliminary Findings Report November 8, 2022 General Election Harris County."

Of the county’s 782 polling locations, 27 percent failed to return or properly complete necessary paperwork.

The SOS also reported that the county’s voter registrations exceeded the number reported to the statewide voter system by a “sizable” 9,283 and that nearly 3,600 mail ballots were sent to voters but not reported to the state.

Auditors said they could not identify the exact cause of the discrepancies.

“Mistakes like these led to a poorly executed election which left many Harris County residents frustrated and may have prevented them from voting,” said Nelson. “It is important to talk about these issues now in order to address them before the 2024 election cycle.”

Harris County Republican Party Chair Cindy Siegel said she was not surprised by the results.

"Harris County grassroots Republicans, election workers, and candidates have testified to the issues mentioned in the report countless times, whether to the media, the Texas Legislature, in a court of law, and fellow voters," said Siegel. "We've known how broken the system is long before this audit, but we're thankful it's all coming to light."

A 2021 state election overhaul law mandated audits for two Texas counties with populations fewer than 300,000 and two with populations greater than 300,000, to be selected at random. Last year, SOS announced that [Harris County](#) had been among those selected for the audit of all elections from the 2020 general election through the 2022 general election, including all primaries.

After the announcement, the commissioners court voted along party lines to [file a challenge](#) to the audit but ultimately did not follow through with legal action.

SOS audited the 2020 general election but encountered delays when former Harris County Elections Administrator Isabel Longoria allegedly [failed to respond](#) to requests for information and did not make staff available to talk to the auditors, who visited the county on multiple occasions. After Tatum replaced Longoria, the SOS was able to complete the audit in December 2022.

Following the 2022 election, 22 candidates filed election contests in Harris County, but only one — that filed by Republican [Erin Lunceford against Democrat Tamika Craft](#) — has gone to trial. Multiple other candidates have since dropped their election contests, including [Alexandra del Moral Mealer](#), the GOP candidate for Harris County Judge.

In response to Harris County's troubled elections, during the 88th regular legislative session state lawmakers mandated that counties with populations greater than 3.5 million must return management of elections to elected officials. As the only qualifying county, Harris County filed a lawsuit to block implementation of the law. After a lower court issued an [injunction](#), the [Supreme Court of Texas](#) intervened and allowed the law to take effect. A hearing is set in the case for November 28.

Texas Sen. Paul Bettencourt (R-Houston) said the SOS audit recognized the "obvious" problems that led to his legislation returning election management to elected officials.

"Having 9,000 more voters than were reported to the state system along with 3.6K more ballots sent out to voters but not reported to the state system are serious problems," said Bettencourt. "Secretary Nelson's report also recognizes the obvious huge problem with ballot paper distribution not complying with state law. This lead to a disruption in the whole process and inadequate supplies at polling locations."

"Basically, the County Government's Election Administrator left 3 million sheets of ballot paper in the warehouse and didn't get enough ballots to the polls resulting in voter suppression of thousands of votes."

In September, Harris County was forced to [return elections management](#) to the elected county clerk and elected tax assessor-collector & voter registrar. Tatum has since gone to work for Harris County Commissioner Adrian Garcia (D-Pct. 2).

Additional [legislation](#) passed earlier this year allows SOS to assume administrative oversight of Harris County elections following complaints from certain stakeholders and a subsequent investigation. The SOS has created a [form](#) for reporting election complaints.

The SOS noted that failures identified in the preliminary findings are based on data and documentation provided by the county and that additional findings may be included in the comprehensive report as new information becomes available.

The Harris County District Attorney's Office and the Texas Rangers are also investigating criminal complaints related to the county's 2022 elections.

Early voting begins October 23 for [proposed amendments](#) to the Texas Constitution, for Houston mayor, and for multiple other local elections.

[\[BACK TO TOP\]](#)

Harris County had multiple failures in Nov. 2022 election, Texas Secretary of State says

Video on KHOU at: <https://www.khou.com/video/news/politics/elections/harris-county-had-multiple-failures-in-nov-2022-election-texas-secretary-of-state-says/285-b9c5d8a0-0970-4588-8b2a-c17760fc3bd4>

[\[BACK TO TOP\]](#)

Harris County's November 2022 election preliminary audit released

Jen Rice

Houston Chronicle

October 19, 2023

www.houstonchronicle.com/politics/houston/article/secretary-state-audit-harris-county-election-18436492.php

Texas Secretary of State Jane Nelson's office on Thursday released [preliminary findings from its audit](#) of Harris County's November 2022 election, the latest analysis of an

election that has been the subject of intense scrutiny from state and local Republicans for nearly a year.

Harris County was one of four counties [selected in July 2022](#) for an audit of its November election, along with Eastland, Cameron and Guadalupe.

ELECTION INVESTIGATION: [GOP leaders say Harris County's ballot shortage was targeted at Republicans. Here's what the data says.](#)

A Secretary of State's office spokesperson said Thursday that audits of the other three counties have not been released, nor are the release dates known yet.

Nelson has been under pressure to complete the Harris County audit after receiving public criticism on social media from prominent Republicans, including former Harris County judge candidate Alexandra del Moral Mealer and donor Jim "Mattress Mack" McIngvale.

Texas Republican Secretary of State [@SecJaneNelson](#) doesn't have the time to audit the November 2022 Harris County election—but she has time to travel to Europe on YOUR DIME.

Tell our Chief Election Officer Jane Nelson to do her job! [#NoAuditNelson pic.twitter.com/T86uQXfTxd](#)

— Alexandra del Moral Mealer (@AlexMealerTX) [July 31, 2023](#)

Mealer is one of 22 Republican candidates in Harris County who challenged their November election losses in court. Last month, Mealer dropped her lawsuit, along with fellow Republican Sartaj Bal.

The report comes just five days before early voting begins in a November election with the Houston mayoral race on the ballot.

Last December, the Secretary of State's office [released an audit](#) of Harris County's November 2020 election that identified numerous administrative errors but found no evidence of widespread voter fraud. The office [released a letter](#) days before voting began in last year's November election, including some of their 2020 findings and warning that Harris County had not yet provided some required information to complete the audit.

Harris County's November 2022 election has been the subject of multiple inquiries after a ballot paper shortage made it more difficult for some voters to cast their ballots. A [Chronicle investigation](#) found that around 20 locations ran out of paper on Election Day — some for just 15 minutes, others for up to three hours — causing poll workers to redirect

voters to other locations. Harris County has a countywide voting program, so residents could vote at any of the 782 locations open that day.

Days after the election, Harris County District Attorney Kim Ogg announced her office would [conduct a criminal investigation](#) along with the Texas Rangers into "alleged irregularities." Their findings have not been made public yet.

The first of several pending election contest lawsuits [went to trial](#) in August. Over the course of eight days, a Harris County Republican judicial candidate laid out [numerous allegations](#) of state election code violations and argued that thousands of people were prevented from voting, though no voters testified in court that they had difficulty voting. A ruling in the lawsuit has not yet been released.

[\[BACK TO TOP\]](#)

Sidney Powell, who made false claims about Tarrant election, pleads guilty in Georgia case

Tom Johanningmeier

Fort Worth Star-Telegram

October 19, 2023

www.star-telegram.com/news/politics-government/article280732740.html

Attorney Sidney Powell pleaded guilty to reduce charges over efforts to overturn the 2020 presidential election results in Georgia. AP

Dallas attorney Sidney Powell, who made false allegations about the 2020 election in Tarrant County, pleaded guilty to reduced charges Thursday over efforts to overturn Donald Trump's loss in Georgia.

Former Tarrant County elections administrator Heider Garcia [detailed Powell's baseless claims](#) in 2022 in written testimony to the Senate Judiciary Committee. Before he worked in the public sector, Garcia had worked for 13 years Smartmatic, the elections company [that sued Fox News for defamation over its election fraud claims](#).

"Sidney Powell and Rudy Giuliani made baseless accusations of voter fraud and manipulation of election results," Garcia wrote in his testimony. He said they "accused Smartmatic, one of my former employers, as one of the two main actors of 'the steal,' and from there the conspiracy theories about Tarrant County just spiraled out of control. But it was not indirect references, it was also direct accusations from Ms. Powell herself:

"• On the Lou Dobbs show she stated '... we know that one of the Smartmatic people went to Tarrant County, Texas and turned that county blue.'

“• On Twitter she posted ‘Gee whiz! I wonder how #TarrantCounty Texas went #blue so easily after hiring a #Smartmatic guy?!’, with a picture of me included.

“• On a separate post on Twitter, she stated ‘And #Tarrant County just went #blue?! What a coincidence! #ImpoundTheMachines #DominionVotingSystems #Smartmatic What could possibly go wrong with company called #Dominion?’”

Garcia resigned from his Tarrant County job in April, [citing disagreements with County Judge Tim O’Hare](#) over how to run transparent elections. On Wednesday, he accepted the position of elections administrator in Dallas County.

Powell’s plea didn’t surprise Garcia.

“There was no other thing that could have happened because we knew she was lying,” he said in a Thursday interview with the Star-Telegram. “It was just a matter of time and, like everything else, when you put the facts out there, the only lie there ever was is all ‘the election was stolen’ crap.”

He later added, “I’m glad the justice system called her bluff.”

Powell, Trump and 17 others were charged with violating the state’s anti-racketeering law. She entered the plea a day before jury selection was set to start in her trial. She pleaded guilty to six misdemeanors accusing her of conspiring to intentionally interfere with the performance of election duties.

She will serve six years of probation, will be fined \$6,000 and will have to write an apology letter to Georgia and its residents. She also agreed to testify truthfully against her co-defendants at future trials.

This report contains information from The Associated Press.

This story was originally published October 19, 2023, 10:54 AM.

[\[BACK TO TOP\]](#)

Sidney Powell pleads guilty in Georgia election interference case

Texas Tribune

Oct. 19, 2023

www.texastribune.org/2023/10/19/sidney-powell-pleads-guilty/

Sidney Powell, the Texas lawyer [who joined former President Donald Trump's legal team after his 2020 election loss](#), pled guilty to several misdemeanors in a Georgia election interference case.

Appearing before Fulton County Superior Court Judge Scott McAfee, she agreed to serve six years of probation, pay a \$6,000 fine, pay \$2,700 to the Georgia secretary of state's office and testify truthfully at co-defendants' trials.

Powell helped spread conspiracy theories about election fraud. Initially, Powell faced seven felony charges in the Georgia case, including racketeering and conspiracy to commit election fraud. The negotiated deal with prosecutors offers Powell a significantly lower sentence than she might have faced had she been found guilty of the original charges.

Powell entered the guilty plea one day before jury selection for her trial was set to begin. She was one of 19 defendants named in the indictment and is the second to accept a plea deal.

Powell is a former federal prosecutor and defense attorney who, despite having no background in election law, has played a prominent role in spreading baseless conspiracy theories about election fraud. She frequently appeared on Fox News after the 2020 election to say that Dominion Voting Systems had rigged its voting machines to take away votes from Trump. Dominion, which settled a \$787 million defamation lawsuit with Fox News, has filed its own defamation suit against Powell.

In Tarrant County, Texas' most populous swing county that has been at the center of the election fraud conspiracies, Powell targeted the county's elections administrator, Heider Garcia, accusing him on Twitter of helping Democrats win there.

Garcia, who was recently [appointed](#) elections administrator for Dallas County, said he wasn't surprised to learn that Powell pled guilty in the Georgia case.

"We knew there was no such thing as a stolen election in 2020," Garcia said. "Time and facts just had to take us to the truth."

The Texas State Bar's disciplinary committee has an ongoing disciplinary case against Powell, alleging that she committed professional misconduct in contesting the results of the 2020 presidential election. Powell had filed several lawsuits against agencies and officials in states where Biden won. A lower court dismissed the case, but it was appealed and is pending a decision.

Claire Reynolds, Public Affairs Counsel for the State Bar's Office of Chief Disciplinary Counsel, said the guilty plea in the Georgia case should not affect the attorney discipline case.

Robert Holmes, Powell's attorney in the disciplinary case, declined to comment.

Before she became a prominent voice on election conspiracy theories, Powell was a defense attorney and had represented a banker in the Enron scandal. In an interview with the Jan. 6 House Select Committee, Powell suggested the Capitol siege was orchestrated by antifa or the FBI, not Trump supporters.

[\[BACK TO TOP\]](#)

'Multiple failures': Texas Secretary of State releases preliminary findings on Harris County election audit

Christian Terry

KPRC

October 19, 2023

www.click2houston.com/news/local/2023/10/19/multiple-failures-texas-secretary-of-state-releases-preliminary-findings-on-harris-county-election-audit/

HARRIS COUNTY, Texas – Texas Secretary of State Jane Nelson has released preliminary findings from the state's audit of Harris County's November 2022 election.

"Harris County clearly had multiple failures conducting the election and violated election law for estimating needed ballot paper," said Secretary Nelson. "Mistakes like these led to a poorly executed election which left many Harris County residents frustrated and may have prevented them from voting. It is important to talk about these issues now in order to address them before the 2024 election cycle."

Nelson said the findings show problems with voter registration data, failure to provide necessary supplies to polling places, equipment issues and incomplete paperwork. At least 38 polling locations had no voter check-ins for an hour or more, according to Nelson.

Preliminary findings from the audit shows the county's voter registration system included more than 9,000 more voters than were reported to the statewide voter registration system. The findings also showed almost 3,600 mail ballots were sent to voters but not reported to the state.

The findings also showed the method for determining distribution for ballot paper did not comply with state law and led to a disruption in the voting process and inadequate supplies at some polling locations. The finding also showed Harris County failed to adequately train election judges and clerks resulting in incomplete paperwork and problems with voting system equipment.

As of Sept. 1, there is no longer an elections administration office in Harris County. [Legislation](#) passed earlier this year returned the duties to the county clerk and tax assessor-collector. Nelson stressed that her agency is actively working with these offices to address problems found in the audit.

"I'm thankful for the cooperation we are seeing from the current election offices," Nelson said. "A repeat of these problems is unacceptable for Harris County voters."

Harris County was selected for an audit as part of [legislation passed in 2021](#) requiring audits of four randomly selected counties for the previous two years.

Under [legislation](#) passed earlier this year, the Secretary of State's office may assume administrative oversight of Harris County elections following complaints from certain stakeholders and a subsequent investigation. The failures identified in the preliminary findings are based on data and documentation provided by Harris County.

Individuals with more information can submit a complaint to the Secretary of State's Office. You can do so [here](#).

[\[BACK TO TOP\]](#)

Texas releases another audit of elections in Harris County, where GOP still challenging losses | AP News

PAUL J. WEBER

Associated Press

October 19, 2023

[apnews.com /article/texas-voting-harris-county-4ac9b393ad1d7b91d92232d34620818c](https://apnews.com/article/texas-voting-harris-county-4ac9b393ad1d7b91d92232d34620818c)

AUSTIN, Texas (AP) — A second Texas audit in as many years of elections in Harris County, the third-most populous county in the U.S., called for improvements but does not suggest that race outcomes in 2022 were impacted by issues that Republicans have used [to contest losses](#) and take more control over voting in the Democratic stronghold.

The preliminary report by Texas Secretary of State Jane Nelson, a Republican, was released days before Houston residents begin early voting for a new mayor. It also follows Republicans [increasingly targeting elections](#) in the county of nearly 5 million people, a size that makes Harris politically significant as Democrats try to end decades of GOP dominance in the state.

Republican Gov. Greg Abbott signed a law this year [that removed Harris County's elections administrator](#) and transferred the responsibility to other local officials. One is County Clerk

Teneshia Hudspeth, who in response to the audit said her office is working to make sure “past issues are not repeated” but defended previous elections as successful.

“But the public should know that ‘successful’ isn’t the same thing as ‘flawless,’” Hudspeth said.

Democrats who lead Harris County [have acknowledged issues](#), including limited paper ballot shortages and machine malfunctions, on Election Day last year. But they said the difficulties were not intentional and have accused critics of stoking conspiracies.

Nelson, who was appointed by Abbott, said the county “clearly had multiple failures” last year. Republicans cheered the findings as justification for the new laws that transferred election oversight.

“It is important to talk about these issues now in order to address them before the 2024 election cycle,” Nelson said.

Republican candidates have challenged losses in races across the county last year but there has been no evidence that the issues affected the outcomes. The first lawsuit went to trial earlier this year but a judge has yet to rule on the case.

Another new law signed by Abbott earlier this year clears the way for Nelson’s office to potentially take oversight of Harris County elections. Following the 2020 election, Texas [also audited elections in Harris and three other counties](#), which came after former President Donald Trump falsely claimed the election was stolen and pressured Abbott to review ballots.

[\[BACK TO TOP\]](#)

Preserving citizen voting essential to election integrity, says Texas House rep.

Staff reports

Southeast Texas Record

October 19, 2023

[setexasrecord.com /stories/650384089-preserving-citizen-voting-essential-to-election-integrity-says-texas-house-rep](https://setexasrecord.com/stories/650384089-preserving-citizen-voting-essential-to-election-integrity-says-texas-house-rep)

AUSTIN - Ceding control of the democratic process is antithetical to the vision of the Founding Fathers, says state Rep. Travis Clardy.

More than a dozen states and municipalities around the nation already allow non-citizen voting in local elections.

Clardy, a Republican representing District 11, believes the issue is one that could jeopardize election integrity.

"There is no issue, no cause, no principle more essential and fundamental to the survival of our Republic than election integrity," Clardy told The Record.

"The notion that our citizens would cede control of our democratic process to people who do not share our values and our bravely earned heritage is antithetical to the vision created by our founders of a government formed with and by the consent of the governed."

Earlier this month, [Americans for Citizen Voting](#) (ACV) sent a [letter](#) to Gov. Greg Abbott, urging him to support an amendment to the Texas Constitution clarifying that a voter in Texas state elections must be a U.S. citizen.

In the letter, ACV asserts the amendment is needed because Article VI, Sections 1-2 of the Texas Constitution do not clearly prohibit non-citizens from voting.

"Specifically, Article VI provides that one who is a United States citizen is qualified to vote but does not state that noncitizens are prohibited from voting," the letter states. "Although the Texas Election Code currently expressly prohibits noncitizens from voting, it could be amended relatively easily by a future legislature to permit noncitizen voting."

ACV further asserts that [State v. Stephens](#), which found that a statute allowing the attorney general to prosecute election law violations is unconstitutional, could prevent the AG from prosecuting election law violations, including rogue municipalities that allow non citizens to vote.

"Given the importance of this issue and the fact that the Attorney General cannot prosecute Election Code violations himself, Americans for Citizen Voting respectfully requests that you support legislation to amend the Texas Constitution to clarify that noncitizens cannot vote in any Texas elections," the letter states.

An ACV poll shows that 82 percent of Texans support citizen only voting.

During the past Texas legislative session, Senate Joint Resolution 35 was introduced, which proposed a constitutional amendment clarifying that voters must be U.S. citizens. The measure passed the Senate 29-1, but was blocked in the House when 54 Democrats voted "present."

Supporters of the measure hope a similar amendment could be added to a special session.

Last October, the D.C. Council voted to allow non-citizen residents the right to vote in local elections.

On Feb. 9, the House passed HJR 24, disapproving the action of the D.C. Council in approving the Local Resident Voting Rights Amendment Act of 2022. A total of 260 representatives voted in favor of the resolution, including 42 Democrats, several of which call Texas home.

Clardy serves the counties of Nacogdoches, Newton, Panola, Rusk, Sabine and Shelby.

[\[BACK TO TOP\]](#)

Republican states swore off a voting tool. Now they're scrambling to recreate it

Miles Parks

Texas Public Radio

October 20, 2023

[www.tpr.org /2023-10-20/republican-states-swore-off-a-voting-tool-now-theyre-scrambling-to-recreate-it](http://www.tpr.org/2023-10-20/republican-states-swore-off-a-voting-tool-now-theyre-scrambling-to-recreate-it)

Last month, Alabama Secretary of State Wes Allen stood at a podium at the state capitol in Montgomery and [announced](#) what he called a novel way for his state to keep its voter lists up to date.

The program, called AVID or the Alabama Voter Integrity Database, will use federal data, as well as voting lists from five other states, to monitor when voters move, die or illegally vote in two different states in the same election.

"We are the first state in the nation to implement a system like this," he said.

But his claim is missing a lot of context.

AVID appears to mimic a bipartisan, cross-state partnership known as the Electronic Registration Information Center, or ERIC, which Alabama was a member of until Allen took office.

He and a number of other Republican secretaries of state [abandoned](#) the group earlier this year after the far right began targeting the organization with conspiracy theories. When he [vowed](#) to pull Alabama out, Allen himself repeated a conspiracy theory about the involvement of liberal billionaire George Soros in ERIC.

Nine states — all Republican-led — have now withdrawn from ERIC.

They all left without a plan to replace it.

And now, experts and election officials are watching a scattershot effort on the right to essentially recreate what the system produced, with many players — both mainstream and fringe — throwing their hats in the ring to try to capitalize on the data void.

Many details about these evolving projects remain unclear, but the elections community is deeply skeptical that any of them will be able to fully replicate ERIC, which took millions of dollars and years to develop.

"These states have decided that instead of using a wheel, they're going to invent a spherical device that will allow them to easily transport and roll items from A to B," said Josh Daniels, a former Republican county clerk in Utah. "Political officials who made bad choices to exit ERIC now have to make up the difference by essentially reinventing ERIC but without the benefit of years of experience and a system that has improved over time."

These states have decided that instead of using a wheel, they're going to invent a spherical device that will allow them to easily transport and roll items from A to B.

ERIC began a decade ago as a partnership between Democratic- and Republican-led states, and it gives its members access to the same federal data Allen cited for Alabama's use.

The compact also facilitates data-sharing between its two dozen or so member states and crucially does so by matching unique identifiers so election officials can feel confident the reports it produces are good enough to act on.

But records reviewed by NPR indicate that recent data-sharing agreements touted by Allen, whose office did not respond to an interview request, as well as other Republican secretaries of state may lack enough detail to yield reliable results.

"I'm not skeptical that they will fail; I know they will fail," said Arizona Secretary of State Adrian Fontes, a Democrat and a former local election official. "ERIC is a system that was very carefully engineered by some of the best [experts] in the country to make sure that we could have a good system to achieve the ends that all of these folks that withdrew were asking for."

"That's the red flag"

Around the same time Alabama's Allen announced AVID, a number of other [Republican secretaries of state](#) announced new data-sharing agreements as well — with some even taking veiled shots at ERIC in the process.

"This is a major new development as states look to move beyond the old model of sharing voter data through an unaccountable third-party vendor," said Ohio Secretary of State Frank LaRose, as he [announced](#) partnerships with Virginia, West Virginia and Florida.

The states agreed to share many aspects of their voter rolls with each other, including name, date of birth and voting history.

But the documents formalizing the agreements — many of which NPR reviewed after they were acquired through records requests by the left-leaning transparency group American Oversight — don't include what experts say is a critical component for reliable data comparison: driver's license data. That's a key difference from ERIC, and is important because that data typically contains both a person's driver's license and Social Security numbers.

Michael Morse, an election law professor at the University of Pennsylvania who has [researched](#) ERIC and voter registration, said the moment he noticed states weren't sharing DMV data as part of these new agreements, he stopped taking the efforts seriously.

"That's the red flag. As soon as they say that, it's the end of the game," Morse said.

One of the reasons ERIC took so long to develop and roll out is because getting state DMVs on board to share that data is complicated by specific privacy laws. But voter registration lists alone don't generally have enough unique identifiable information to confidently say a voter in one state is the same as one in another state.

"The driver's license data helps integrate voter registration lists by supplementing them with this unique identifier that we often lack," Morse explained.

Without that harder-to-get data, Morse and election officials who spoke to NPR said these new agreements look very similar to a now-defunct program known as Kansas Crosscheck. That program also attempted to compare state voting lists in order to clean voter rolls and find fraud but ran into trouble because of [false positives](#) and [security](#) concerns.

"We've analyzed Crosscheck and it wasn't successful," Morse said. "I can't see a case in which the state-by-state agreements that don't involve the sharing of confidential information ... can be more accurate than ERIC. They can't be."

In an interview, Ohio's LaRose, who had praised ERIC before pulling his state out in March, conceded that the new partnerships will involve less data being shared between states, but he says Ohio will use them as a starting point for investigations.

"Imagine a massive Excel file or Excel sheet where we make sure that the data columns are lined up the right way, that we have the definitions of those data fields in such a way that they're usable," LaRose said. "And if we find a first, middle, last name and date of birth that matches between us and another state — that somebody with those first, middle and last name and date of birth voted in both states — then that gives us then the ability to launch a more detailed, hands-on, less automated investigation."

It also appears the Republican partnerships are only aiming to recreate the portions of ERIC that align with their political interests.

ERIC provides its member states data that helps election officials both clean up their voter rolls and find voter fraud, but also expand access by notifying states when a person has moved to a new district but hasn't yet registered to vote.

But as an [NPR investigation](#) detailed, that second prong related to access has now become a flashpoint in far-right conspiracies. And it appears the Republican state officials are abandoning it for now.

State agreements viewed by NPR don't include any requirements about registering eligible voters. And West Virginia, another former ERIC state, confirmed to NPR that its "primary focus with the [partnerships] is on the fraud component," according to Mike Queen, deputy chief of staff for Secretary of State Mac Warner.

Officials in West Virginia also said they are working to piece together other ways to get data to update their voter lists.

Earlier this year the state paid the credit monitoring service Experian more than \$19,000 to pilot a program to help find out-of-date registrations on its lists, and officials are also exploring whether a national driver's license data partnership run by the American Association of Motor Vehicle Administrators can be used to update rolls. Alabama also says it plans to use that partnership for voting list maintenance, but the state has not provided more details on that work.

Conservative activists are seeking a bigger role

It's not just states themselves that are exploring new election data avenues.

The far right has attempted to capitalize on states leaving ERIC, with conservative activists offering to provide their own ways to maintain voter lists.

Maybe the most prominent effort is called [EagleAI Network](#).

The software, which was created by a retired Georgia physician, uses "all public information," according to a planning document reviewed by NPR, and compares state voter lists to other things like newspaper obituaries, property records and rooftop and street pictures.

"EagleAI quickly and efficiently joins extremely large, reliably sourced, publicly available, multi-state and national data sets and points out registration irregularities that then needs evaluation, confirmation and resolution by your County Department of Elections staff and Boards of Election members," the document reads.

Morse, of the University of Pennsylvania, referred to these sorts of efforts as "vigilante maintenance," and said they seem to have many of the same shortcomings as the state partnerships.

"If you see the issue here as you need confidential administrative data to successfully match people across all lists, then you see that the public is not positioned to take over that job. It doesn't work," Morse said. "We may think it should work and we want it to work and we want the public to be involved in that way. But if we want that, we have to address the underlying privacy laws that we have that prohibit that."

Conservative attorney Cleta Mitchell speaks about election integrity at a South Carolina Republican Party event in Myrtle Beach on Aug. 27, 2022. Mitchell has been a key critic of ERIC who's now pushing an alternative called EagleAI.

Many of the far-right figures instrumental in building a backlash against ERIC are now pushing for Republican-led states to use EagleAI, according to material compiled by the nonprofit, left-leaning investigative group Documented and first reported by [NBC News](#). That includes Cleta Mitchell, a prominent conservative attorney who has built a constellation of election denial groups across the country and who helped push false narratives about ERIC on her podcast.

"I think that probably we could get some of the secretaries of state who have withdrawn from ERIC to take a look at this," said Mitchell of EagleAI [in March](#), following a demonstration of the software to a local election integrity group. "You know, I think that they're looking for an alternative."

NPR reviewed emails indicating that West Virginia state election officials have been briefed on the software, and emails acquired by [Documented](#) indicated similar briefings may be occurring in other states as well.

Another company trying to jump into the void left by states leaving ERIC is called Fractal. It was started by a man named Jay Valentine, who is a frequent contributor to the fringe

conservative website The Gateway Pundit, which NPR found to be instrumental in building false narratives about ERIC.

"We currently manage 1.7 billion voter records, that we believe is the largest such system in existence," wrote Valentine, in a pitch email for Fractal to Texas Secretary of State Jane Nelson on May 23, the same day the Texas House passed a bill that cleared the way for the state to pull out of ERIC. That email was obtained by American Oversight and shared with NPR.

A few months later, Nelson appeared to share an article of Valentine's with her elections staff, with the subject line "interesting article." The article falsely claims that the 2020 election "was a fraud." NPR reached out to the secretary's office for comment Thursday but has not received a response.

In an interview with far-right podcast host Steve Bannon, Valentine said Fractal has received some funding from MyPillow founder Mike Lindell, a prominent election conspiracy theorist.

Voter registration data has long been fertile ground for conspiracy theories, because every year millions of Americans move or die and it's virtually impossible for the country's election lists to stay completely up to date. That's not the same thing as fraud occurring, Morse noted, but for those interested in pushing the narrative that elections can't be trusted, pointing out inaccuracies in the system serves the same purpose.

"The fear is that if you naively mash voter registration lists together, it sounds great and you just generate the appearance of fraud," Morse said. "It's just so easy to do [voter list maintenance] in a poor way and it's so hard to try to do the same thing in a more reliable way."

[\[BACK TO TOP\]](#)

SOS Releases Harris Co. Election Audit Preliminary Findings

KTRH News

October 20, 2023

[ktrh.iheart.com /featured/houston-texas-news/content/2023-10-19-sos-releases-harris-co-election-audit-preliminary-findings/](https://ktrh.iheart.com/featured/houston-texas-news/content/2023-10-19-sos-releases-harris-co-election-audit-preliminary-findings/)

The Texas Secretary of State released its preliminary findings regarding the audit of the November 2022 election run by the Harris County Democrat-appointed and unelected Elections Administrator.

"Unfortunately, the Texas Secretary of State findings are not surprising, but damning nonetheless," said Harris County GOP Chairman Cindy Siegel.

"Harris County grassroots Republicans, election workers, and candidates have testified to the issues mentioned in the report countless times, whether to the media, the Texas Legislature, in a court of law, and fellow voters. We've known how broken the system is long before this audit, but we're thankful it's all coming to light.

"This report proves that the way elections were run under an elections administrator was broken. I'm thankful the elections administrator's office has been eliminated. Now, instead of voters being beholden to an appointed, unelected bureaucrat who has failed at the job, they'll have hiring and firing power over the duly elected county clerk who will be running future elections.

"Accountability and transparency matters, and I look forward to seeing the full report soon."

To view the preliminary findings, click [HERE](#).

State Sen. Paul Bettencourt issued a statement in response to the audit: "The SOS Election Audit recognizes the obvious problems with Harris County's November elections that lead to legislative changes, SB 1750, eliminating the Elections Administrator and returning elections to the elected County Clerk and the Tax Assessor-Collector. Having 9K more voters than were reported to the state system along with 3.6K more ballots sent out to voters but not reported to the state system are serious problems.

Secretary Nelson's report also recognizes the obvious huge problem with ballot paper distribution not complying with state law. This led to a disruption in the whole process and inadequate supplies at polling locations.

Harris County Clerk Tenisha Hudspeth issued this statement: "In my fifteen years of working for two Republican and two Democratic County Clerks, I was part of election teams that conducted successful elections. But the public should know that "successful" isn't the same thing as "flawless." The election office has never experienced a flawless election.

I look forward to working with the Secretary of State's Office to ensure well-organized, transparent, and fair elections. There is plenty of work ahead for all of us, and a great commitment on my part to the voters of Harris County."

[\[BACK TO TOP\]](#)

Alicia Phillips Pierce
Assistant Secretary of State for Communications
Office of the Secretary of State
512-463-6116



From: Alicia Pierce
Sent: Thursday, December 14, 2023 9:23 AM
To: Alicia Pierce
Subject: Secretary Nelson in the News



Texas Secretary of State Morning News Clips December 14, 2023

[Documents show Republican-led states struggling to clean voter rolls after leaving ERIC](#) *VoteBeat* December 13, 2023
(SJM mention)

[Spat between local Democrats, Republicans could jeopardize voting for March 2024 primaries](#) *Austin American-Statesman* December 13, 2023

[Travis County primary election stalled over disagreements between parties](#) *KVUE* December 13, 2023

[Biden considers new border and asylum restrictions as he tries to reach Senate deal for Ukraine aid](#) *Associated Press*
December 14, 2023

Documents show Republican-led states struggling to clean voter rolls after leaving ERIC

Jen Fifield
VoteBeat
December 13, 2023

[www.votebeat.org /2023/12/13/cleaning-voter-rolls-after-eric-election-security-voter-fraud/](http://www.votebeat.org/2023/12/13/cleaning-voter-rolls-after-eric-election-security-voter-fraud/)

Some Republican-led states are struggling to develop new ways to adequately update their voter rolls after withdrawing from a popular [cross-state voter roll cleaning program](#) that came under attack by far-right election activists, according to new documents and internal emails reviewed by Votebeat.

Virginia paid \$29,000 in September to regain access to just a sliver of the data they used to obtain via the Electronic Registration Information Center, or ERIC. Alabama and Missouri officials took months to come up with new plans for cleaning voter rolls, landing on plans that are less rigorous than ERIC. And a new system [some states](#) are considering to help with voter roll cleanup had its server attacked and temporarily brought down, according to [documents obtained by left-leaning watchdog group American Oversight](#) and exclusively shared with Votebeat.

The documents also show that senior advisors to secretaries of state in Missouri and Texas recognized that lies were being spread about ERIC, and tried to stop their states from withdrawing from what they saw as a valuable program. In addition, officials in some states such as Ohio had [pushed unsuccessfully for changes to ERIC](#) that could have kept their states from withdrawing.*

“As you know, I really worked as hard as I possibly could to avoid this,” Amanda Grandjean, then the senior advisor to the Ohio secretary of state, [wrote in an email to ERIC executive director](#) Shane Hamlin after Ohio withdrew from the program in March.

ERIC is a powerful tool for states to share voter information with other states, allowing them to remove duplicate or dead voters from their rolls. It has been successful mainly because of the sheer volume of the data it collects, which allows it to accurately match voter data on a large scale, and because it has worked through the complications involved in cross-referencing the different data sets and storing and transmitting the data securely.

Before the exodus of members began in early 2022, more than half of U.S. states were participating, and membership was virtually balanced between Republican- and Democratic-led states.

Clean voter rolls help ensure that eligible voters only cast one ballot, and help counties keep mail voting costs down by eliminating ineligible voters from the rolls. As states leave ERIC, not only do they lose access to the collective’s valuable data themselves, their withdrawal means the remaining states have less data with which to clean their own rolls. Michael Morse, a law professor at the University of Pennsylvania who researches voter roll maintenance, said this may not only undermine confidence in elections, but also could cause problems for voters at the polls whose addresses may not be up-to-date after they move, sometimes requiring them to cast a provisional ballot.

“Inaccurate rolls to me are an integrity problem,” Morse said. “But, they are also an access problem.”

The nine Republican states that have left since 2022 can’t replicate this type of system, and are instead taking a piecemeal approach that leaves them contending with a series of challenges, the documents show. For example, a working group involving several states led by Ohio Secretary of State Frank LaRose’s office [wrestled this spring](#) with the legality and security of data-sharing across state lines, according to emails among state officials.

In the margins of a draft agreement, an official noted they weren’t sure whether some states permitted confidential voter data to be shared in the way proposed. “Do other states’ laws allow this?” the comment read.

Hamlin, the executive director of ERIC, told Votebeat that its founding states worked for more than two years to build ERIC and “ensure what we do and how we do it complies with state and federal laws,” he said in a statement. “We also made sure data privacy and security were built into our processes and practices from the beginning.”

So far, instead of a multi-state agreement, states have instead signed individual agreements with other states.

West Virginia, for example, has signed agreements with Ohio, Florida, Virginia, and Tennessee — states likely to have residents moving between them and West Virginia. West Virginia is not attempting to replace ERIC, but primarily trying to identify potentially illegal voting activity across state lines, said Donald Kersey, general counsel for the West Virginia Secretary of State’s Office.

Kersey said in an email that it hasn’t been complicated.

“It naturally required states to work with each other to find time to meet and review the [memorandums of understanding], but it has been no more complicated than other MOUs our office works on with other entities or state agencies,” he wrote. Kersey said the creation of a multi-state agreement wasn’t the sole mission of the Ohio-led working group, instead describing it as “part of the discussion,” and said the state is also using other sources of data to clean its voter rolls as needed.

States were advised of ERIC’s value

The exodus from ERIC began after the far-right website The Gateway Pundit published articles in January 2022 laden with false information about the program: That it had been funded by left-wing financier George Soros and that it was run by virulent partisans who sought to pad voter rolls with liberal voters.

None of that was true, and prior to the onslaught of coverage the program was considered apolitical: A cross-partisan team of officials from member states run the program, and it's funded out of those states' budgets. Along with attempting to match duplicate voters across state lines, the states use the data they receive from ERIC to inform new residents of their state that they are eligible to vote. The dual purpose of the program was what initially attracted both Democratic- and Republican-led states.

When the Gateway Pundit's articles were published, election offices across the country began to get emails from constituents demanding they leave the program. Soon, Republican secretaries of state who had long been proponents of ERIC in the past [changed their tune](#).

Documents show that their top advisors knew that the Gateway Pundit stories were false.

The day after the first article was published on Gateway Pundit's site, ERIC's executive director emailed officials in ERIC member states attempting to debunk it.

"I appreciate you sharing this and will advise the Secretary," [Trish Vincent, chief of staff for Missouri Secretary of State Jay Ashcroft, wrote back to Hamlin](#). "He has gotten some inquiries related to this horrible and misleading article."

But in early March 2023, Ashcroft withdrew Missouri from ERIC, making it the third state to leave the program after Louisiana and Alabama. Florida, West Virginia, Ohio, Iowa, and Virginia left next.

[Texas was the most recent](#). There, too, internal emails from the Secretary of State's Office show that officials there knew that leaving ERIC would be costly and inefficient.

When a chief of staff for a North Texas Republican state lawmaker reached out to Sam Taylor, the assistant secretary of state for communications for Secretary of State Jane Nelson, in January asking him for information about ERIC, [Taylor responded with a long email](#) explaining the importance of the program.

Taylor explained that from June to December 2022 alone, ERIC provided the office with information that led to more than 200,000 deceased or duplicate voter records being flagged for county voter registrars to investigate. He also corrected some of the inaccuracies in the Gateway Pundit story, explaining, for example, that ERIC isn't funded by Soros.

Taylor called ERIC an "important election integrity tool," and said without it, counties wouldn't be able to remove certain voters from the rolls, "creating the opportunity for criminals to commit fraud in the name of a deceased person or a person who no longer lives in Texas but is still registered here."

Nonetheless, Texas left ERIC in July.

Taylor, who no longer works for the secretary of state, told Votebeat in a text message Monday that, while ERIC was the best tool states had for cross-state voter roll cleanup, the program became less effective due to the multi-state exodus.

“And whatever new system takes its place will likely face similar scrutiny surrounding transparency, accuracy, and efficacy in helping keep voter rolls clean and up-to-date,” he said.

Some states that withdrew cited financial concerns. States spent between \$37,000 and \$174,000 for annual membership for the most recent fiscal year, depending on their size. But the mailings required by the program cost states as well, and the membership fees are growing as states back out of the program and fewer remain to share the burden.

But any other system may be expensive, too. [In a fiscal note obtained by American Oversight for the legislation that allowed Texas to withdraw from the program](#), the Texas’ Secretary of State’s Office estimated that any cost savings the state would see from leaving ERIC, which cost the state \$1.5 million every two years, would be “offset by the costs of participating in a different program or in developing a new program.”

Christina Adkins, elections director for the Secretary of State’s Office, estimated the office would continue to need the \$1.5 million every two years for any new system it used to clean voter rolls.

Virginia has already found that getting the data that ERIC provided is costly.

In August, the state paid \$3,445 just to get access to the national database that uses Social Security numbers to report deaths, the Limited Access Death Master File, and the next month the state paid \$28,960 for a private company to match the files to the Virginia voter roll, one of the many services ERIC previously provided, according to [receipts obtained by American Oversight](#). Membership to ERIC cost Virginia about \$40,000 in annual dues for 2019-2020, [according to a state document](#). The dues have since risen, but more recent data wasn’t immediately available.

States left ERIC without a replacement plan

The documents show that, in many cases, states that left ERIC didn’t have a long-term plan to replace it. At least some also lacked short-term plans for keeping voter rolls up-to-date in the meantime.

[In Alabama](#), for example, Secretary of State Wes Allen ran his 2022 campaign for the office on a platform of removing the state from ERIC. He announced the state’s exit from

ERIC immediately after taking office in January. Yet two months later, the state's elections director was just starting to figure out how to replace it.

On March 27, [Jeff Elrod sent an email](#) to an official with the National Association of State Election Directors asking for contact information for the best person at the U.S. Postal Service to get change-of-address data for voter roll maintenance, something ERIC had provided the state.

Ashcroft withdrew Missouri from ERIC in March, though it appears the state's counties received no formal guidance for months as to how they should now perform voter roll list maintenance without it. [On June 7, the elections director of Saint Louis County wrote](#) indicating he'd received the new guide, and asking for an electronic version of it to use for staff training.

Meanwhile, Missouri has joined other states who have departed ERIC in forming a working group to establish a new way to share voter data across state lines. As of this spring, the group was wrestling with both the legal and practical challenges around obtaining and sharing necessary data, and trading tips on possible sources for it while attempting to hammer out a draft template for agreements between states, [a June email from Grandjean in Ohio to officials in the group](#) shows.

In addition to questions about whether laws in all the states would allow confidential voter information to be shared and how, working group members also weren't sure how often the states could commit to sharing data with each other. A draft agreement circulating at the time suggested every six months, with a note that said "Discuss." That's much less frequent than ERIC, which requires data sharing at least every 60 days, though it's up to individual states how often they use the available data to update voter rolls.

Grandjean also touched on the cybersecurity questions around how data would be shared.

"We also decided that there needs to be a dedicated group of CISOs/cybersecurity professionals from our offices connected via email to discuss the secure data sharing requirements" she wrote, updating the group about a June meeting.

Lawmakers and advocates have suggested some private vendors as replacements for ERIC, but those have also faced security challenges: One private vendor marketing itself as a voter roll cleanup solution across state lines, EagleAI, faced a cyberattack in October, according to the documents.

Columbia County in Georgia recently signed up to use the system. In October, EagleAI CEO John "Rick" Richards Jr. responded to concerns from the county, including a claim that the EagleAI system had been hacked.

On Oct. 4, Richards confirmed via email that “several EagleAI network servers became inoperative,” adding that “investigation indicated it was possibly due to an attack on the Windows server software.”

In an email to Votebeat, he denied that the event — which he characterized as a “denial of service attack” — put any voter data at risk.

“Denial of service attacks happen all the time, hundreds and even thousands of times a day,” Richards wrote. “There was no breach[sic] of the EagleAI software.”

Morse said it’s not surprising to him that states are laboring to find substitutes for ERIC. ERIC took a long time to create, he said, and reflects a careful design that takes into consideration state and federal laws, as well as secure and accurate sharing of private data.

“The states withdrawing from ERIC cannot just easily stand up a copycat,” he said. “I don’t expect anyone to stand up a copycat. What I expect is for people to stand up a cheap imitation that will ultimately be worse.”

Correction, Dec. 13, 2023: *This story has been updated to correctly reflect the context of the email Amanda Grandjean, then the senior advisor to the Ohio secretary of state, sent to ERIC executive director Shane Hamlin after Ohio withdrew from the program. After this article published, Grandjean told Votebeat the email, which said, “As you know, I really worked as hard as I possibly could to avoid this,” referenced her advocacy for changes to ERIC’s requirements that might have prevented Ohio’s withdrawal. The email did not directly acknowledge that lies were being spread about ERIC.*

Votebeat journalists Natalia Contreras, Carrie Levine, and Carter Walker contributed to this report.

Jen Fifield is a reporter for Votebeat based in Arizona. Contact Jen at jfifield@votebeat.org.

[\[BACK TO TOP\]](#)

Spat between local Democrats, Republicans could jeopardize voting for March 2024 primaries

Austin American-Statesman

December 13, 2023

[www.statesman.com /story/news/local/2023/12/13/republicans-democrats-in-stalemate-over-election-contract/71906908007/](https://www.statesman.com/story/news/local/2023/12/13/republicans-democrats-in-stalemate-over-election-contract/71906908007/)

A rift between the leaders of the Travis County Democratic and Republican parties could jeopardize where local voters cast a ballot in the March election, which includes a presidential primary.

The local branches of the parties have for years entered into a joint contract for a county-wide election, which allows Travis County residents to vote at any polling place in the county. Negotiations usually don't draw much attention.

This year, however, the Travis County Democratic Party says the local Republican Party has for months caused "chaos and confusion" during negotiations by contemplating a return to precinct-by-precinct voting and the hand-counting of some ballots.

It's a sentiment staunchly contested by the county's Republican party leaders.

Matt Mackowiak, chair of the Travis County Republican Party, told the American-Statesman, "It's a paranoid freak out that has no basis."

"Our draft primary contract included Countywide Voting," Mackowiak said in a statement. "We are going back and forth with edits and hope to complete the primary contract in the next day or so."

Travis County Clerk Dyana Limon-Mercado told the American-Statesman that last week the Travis County Republican Party sent them a contract proposal and that it was unclear if they were proposing a joint or separate primary.

A counter proposal for a joint primary was sent to both parties on Monday, Limon-Mercado said. Both parties have confirmed they received the draft but neither have sent a draft back or an affirmative response as of Wednesday afternoon.

There is no deadline for a contract to be reached, Limon-Mercado said.

A contract was entered for the March 2022 primaries in Travis County by Nov. 30, 2021, Travis County Democratic Party Chair Katie Naranjo said at a news conference Wednesday. The contract was approved by the Travis County Commissioners Court in the first week of December that year.

The first day to apply by mail for a ballot in the March primary is Jan. 1, according to the Texas Secretary of State's website, and the first day of early voting is Feb. 20.

Naranjo said she feels there is still time for the parties to reach an agreement, but if they have to take legal action, the Travis County Democratic Party is prepared to do so.

"Our goal is to be in a contract by the end of this week," Naranjo said.

Similar legislation died in the state House last session

Earlier this year, the Republican-dominated state Senate approved a bill to entirely eliminate the county-wide polling program, which began in earnest with several participating counties in 2008 and has since been utilized by 91 of Texas' 254 counties, according to the Secretary of State's office.

Sen. Bob Hall, R-Edgewood, filed Senate Bill 990 out of a concern that county-wide polling contributes to "vulnerabilities in election security and frustrates chain-of-custody measures."

That argument was harshly contested by Democrats at the time, and again at Wednesday's news conference, as party members accused Republicans of continuing efforts to deny and overturn election results.

"You have no evidence to prove anything that you're saying," Sen. Roland Gutierrez, D-San Antonio, told Hall as the measure advanced to the House along party lines in April.

The Secretary of State's office prior to the start of the legislative session in January made available to lawmakers a report detailing the statewide success of the county-wide voting program, only recommending the program take into consideration the impacts of providing multiple voting locations for smaller, localized elections.

SB 990 ultimately went unheard in the House.

Wednesday, state Sen. Sarah Eckhardt, D-Austin, expressed frustration that the successful voting program has continued to come under partisan scrutiny.

"This is a next iteration of these conspiracy theories that is now bubbled up into procedural chaos," Eckhardt said.

U.S. Congressman Lloyd Doggett, D-Austin, calling the attempted change in voting an overall effort to discourage voting in Travis County, said Texas has been "ground zero" for voter suppression measures as the Legislature has tightened parameters on early and mail in voting along with increasing the penalty for illegal voting to [a second degree felony earlier this year](#).

[\[BACK TO TOP\]](#)

Travis County primary election stalled over disagreements between parties

Laura Sather
(KVUE)

December 13, 2023

AUSTIN, Texas — We are less than three months away from [the 2024 primary elections](#) in Texas.

The Democratic and Republican parties in Travis County can't agree on how the March primary should run, and there's concern that it could affect how residents vote. In Texas, primary elections are organized by the parties, and historically, the parties come to an agreement on the mechanics of primary voting and send that to the clerk's office, which actually runs the primary.

But during [a virtual press conference on Wednesday](#), Travis County Democrats said they should have had a finalized contract last week but Republicans are holding things up. They say Republicans don't want county-wide polling, which allows voters to cast their ballots anywhere in the county, instead of at a specific precinct location, and they say the Republicans want ballots to be hand-counted.

Democrats say a delay in an agreement affects the clerk's office's ability to prepare for March.

"We can get ballots-by-mail out, we can find voting locations, etc. It is Dec. 13 and we are no closer to getting a joint primary negotiated than we were back on Nov. 13," said Chair of the Travis County Democratic Party Katie Naranjo.

Related Articles

- [Election lawsuits could delay implementation of wildly popular constitutional amendments, including tax cuts](#)
- ['Rogue DA' lawsuit takes aim at Travis County's José Garza](#)

However, the Travis County Republican Party tells KVUE News it sent a draft contract to the Democrats on Friday that included provisions to have county-wide polling, but it didn't elaborate on the details of that proposal.

In a statement, Travis County GOP Chair Matt Mackowiack wrote in part, "Everything we are seeking has been negotiated with Travis County Elections and has been blessed by the Texas Secretary of State's Office."

If the parties don't come to an agreement, there's concern they would have to run the primaries separately, and because Texas has open-primary voting – meaning voters pick which primary, Democrat or Republican, they want to vote in at the polls – there's really no guidelines for how that might work.

[\[BACK TO TOP\]](#)

Biden considers new border and asylum restrictions as he tries to reach Senate deal for Ukraine aid

STEPHEN GROVES, LISA MASCARO and COLLEEN LONG

Associated Press

December 14, 2023

www.1mtonline.com/news/article/biden-considers-new-border-and-asylum-18552027.php

WASHINGTON (AP) — Top Biden administration officials labored Wednesday to try to reach a last-minute deal for wartime aid for Ukraine by agreeing to Senate Republican demands to bolster U.S.-Mexico border policies, with urgency setting in as Congress prepared to depart Washington with the impasse unresolved.

The White House was racing to lock in a deal in principle with key Senate negotiators, according to two people familiar with the plans who demanded anonymity to discuss them. A core negotiating group, which has included Homeland Security Secretary Alejandro Mayorkas, departed the Capitol Wednesday evening after making progress but without the principles of a deal finalized.

As details of the plan emerged, advocates for immigrants and members of President Joe Biden's own Democratic Party fretted about the policies under discussion. Some demonstrated at the Capitol, warning of a return to the hardline border and immigration policies of the Trump era.

Congress has little time to reach an agreement on Biden's \$110 billion request for Ukraine, Israel and other national security needs that Republicans are holding up to demand changes to border policy. While White House officials and key Senate negotiators appeared to be narrowing in on a list of priorities to tighten the U.S.-Mexico border and remove some recent migrant arrivals already in the U.S., Senate Republicans earlier Wednesday said not enough progress had been made to justify staying in Washington beyond Thursday.

Ukrainian President Volodymyr Zelenskyy visited Washington this week to implore lawmakers for support, but lawmakers were still ready to leave for weeks with one of the U.S.'s key international commitments — helping halt Russian President Vladimir Putin's invasion into Ukraine — seriously in doubt. Also left hanging would be a deal on one of the most unwieldy issues in American politics: immigration and border security.

"The talks are continuing," said Senate Majority Leader Chuck Schumer as he closed the Senate Wednesday night.

Among the proposals being seriously discussed, according to several people familiar with the private talks, are plans to allow Homeland Security officials to stop migrants from applying for asylum at the U.S. southern border if the number of total crossings exceeds daily capacity of roughly 5,000. Some one-day totals this year have exceeded 10,000.

Also under discussion are proposals to detain people claiming asylum at the border, including families with children, potentially with electronic monitoring systems.

Negotiators are also eyeing ways to allow authorities to quickly remove migrants who have been in the United States for less than two years, even if they are far from the

border. But those removals would only extend to people who either have not claimed asylum or were not approved to enter the asylum system, according to one of the people briefed on the negotiations.

The policies resemble ones that President Donald Trump's Republican administration tried to implement to cut border crossings, but many of them were successfully challenged in court. If Congress were to make them law, it would give immigration advocates very little legal ground to challenge the restrictions for those seeking asylum.

Advocates for immigrant warned of a return to anti-immigrant policies and questioned whether they would even address problems at the border.

"I never would have imagined that in a moment where we have a Democratic Senate and a Democratic White House we are coming to the table and proposing some of the most draconian immigration policies that there have ever been," said Maribel Hernández Rivera, American Civil Liberties Union director of policy and government affairs.

The Senate negotiators had also found some agreement on raising the threshold for people to claim asylum in initial credible fear screenings.

Sen. Chris Murphy of Connecticut, a key Democratic negotiator, said it should be no surprise there are Democrats unhappy about some of the provisions being discussed, which is why they need a balanced agreement.

"I would just say that it's clear we have to get a lot of Democratic votes and a lot of Republicans in order to pass this and that means making sure that this is a fair agreement," Murphy said after a long day of talks.

Senate Republicans discussed the White House's proposal at a lunchtime meeting and expressed some optimism that Biden's administration was directly involved in shaping the legislation. But many senators said there was simply not enough time to iron out an agreement.

"Nobody's written anything up. These are all concepts right now," said Sen. John Thune, the no. 2 Senate Republican, adding, "The deal has not come together."

But the Senate's most ardent supporters of Ukraine urged congressional leaders to keep lawmakers in Washington until the package is passed. One group of Democratic senators met in Senate Republican Leader Mitch McConnell's office Wednesday afternoon, and Sen. Michael Bennet, a Colorado Democrat who organized the meeting, emerged calling it a "productive" session.

In a separate meeting, Mayorkas met for roughly two hours at the Capitol with a core negotiating group. It was the second day in a row the Cabinet secretary traveled to the Capitol, but issues still remained in striking an agreement.

"Good progress," said Sen. Kyrsten Sinema of Arizona late in the evening.

Even if the Senate stayed in Washington to pass the proposals, House Speaker Mike Johnson of Louisiana, a Republican, would also need to push the legislation through his chamber, where there will likely be opposition from both parties. Hard-line conservatives complain the Senate proposals do not go far enough, while progressive Democrats and Hispanic lawmakers are opposed to cutting off access to asylum.

At a press conference in front of the Capitol, leaders of the Congressional Progressive Caucus and Congressional Hispanic Caucus vowed to oppose the policies under consideration. They also said that Latino lawmakers should have been central to the negotiations.

"(Biden) campaigned on restoring the soul of the nation and holding firm to our democratic values and the principles of our founding fathers. And that includes defending our asylum system and respectful treatment of refugees," said Sen. Alex Padilla, D-Calif.

He called it "unconscionable" for the Democratic president to make concessions on border policy without gaining policies that benefit immigrants.

White House press secretary Karine Jean-Pierre said the administration was "encouraged" by progress in the negotiations and stressed that any final product has to be a "bipartisan compromise." She declined to address criticism from advocates that the provisions under discussion could be more draconian than that of Biden's predecessor, Donald Trump.

In the Capitol, the senators who have been negotiating the border package also considered asking to have lawmakers return to Washington next week, hoping that they could use this week's momentum to push through the package.

But their colleagues warned that having the Senate pass the package would be futile unless the House was ready to move quickly.

"It'll be a piñata out there that people take potshots at for the next couple of weeks," said Sen. John Cornyn, R-Texas.

Associated Press writers Elliot Spagat, Seung Min Kim and Rebecca Santana contributed to this report.

[\[BACK TO TOP\]](#)

Alicia Phillips Pierce
Assistant Secretary of State for Communications
Office of the Secretary of State
512-463-6116



From: Alicia Pierce
Sent: Wednesday, December 20, 2023 9:58 AM
To: Alicia Pierce
Subject: Secretary Nelson in the News



**Texas Secretary of State
Morning News Clips
December 20, 2023**

PROMINENT ELECTION DENIERS' TIES TO ERIC ALTERNATIVES AND THREATS TO VOTING RIGHTS IN 2024

American Oversight December 19, 2023 (SJM mention)

SECRETARY NELSON SHARES END-OF-YEAR REMINDERS FOR BUSINESS FILINGS *The Times Freestone County* December 19, 2023 (SJM mention)

Secretary Nelson shares end-of-year reminders for business filings *Gilmer Mirror* December 19, 2023 (SJM mention)

Countywide voting will remain for March primaries after Travis County political parties reach deal *KUT* December 19, 2023 (SJM mention)

Trump Is Disqualified From 2024 Ballot, Colorado Court Says in Explosive Ruling *New York Times* December 19, 2023

Political parties reach joint primary agreement to preserve countywide voting *Austin Monitor* December 20, 2023

Why election laws in Georgia and Texas remain a threat *Politico* December 19, 2023

No proof foreign interference affected '22 elections *Spectrum News* December 19, 2023

'Our Elections Are Not for Sale': Texas Lawmaker Pushes for Nationwide Election Reform *Washington Stand* December 19, 2023

Senate District 30 Candidates Challenge Opponent's Residency Eligibility *The Texan* December 19, 2023

Mexican president says he'll fight Texas migrant crossing law *The Hill* December 19, 2023

PROMINENT ELECTION DENIERS' TIES TO ERIC ALTERNATIVES AND THREATS TO VOTING RIGHTS IN 2024

American Oversight
December 19, 2023

<https://www.americanoversight.org/prominent-election-deniers-ties-to-eric-alternatives-and-threats-to-voting-rights-in-2024>

As several states this year caved to a far-right, baseless pressure campaign to leave the nonpartisan Electronic Registration Information Center (ERIC), they created an opening for conservative activists and powerful allies of former President Trump to further their anti-democratic efforts — including by pitching their own severely flawed alternatives. And those alternatives present alarming implications for voting rights ahead of the 2024 election.

Documents obtained through public records requests and litigation, outlined in American Oversight's new report "The Campaign to Dismantle ERIC" reveal how outside groups and private companies supported by prominent election deniers have been pushing new products to replicate ERIC's function of maintaining up-to-date voter rolls. But as experts warn, those purported replacements will make it easier for voter-fraud vigilantes to challenge and threaten the voting rights of thousands.

ERIC is one of the leading tools election officials have to ensure that they are working from accurate lists of voters. Over the last two years, however, nine states have left the partnership thanks to a campaign fueled by conspiracy theories and false claims about election fraud. The space left behind has provided fertile ground for activists and private interests — including many of the same people involved in efforts to overturn the 2020 election — who see an opportunity to continue to undermine trust in U.S. democracy.

CLETA MITCHELL AND HER NETWORK

Conservative lawyer Cleta Mitchell is a longtime proponent of voting restrictions who, having aided President Trump in his attempt to remain in power in 2020, now runs a coalition of election denial groups called the Election Integrity Network. In meetings with

top election officials, Mitchell and associates in her network were instrumental in the anti-ERIC campaign that drove states to quit the system, and in recent months have pushed to be more closely involved in voter roll maintenance.

American Oversight obtained a May 2023 email from Mitchell to West Virginia Secretary of State Mac Warner's general counsel and chief of staff: "You made reference last week to some databases that your office and clerks used in your efforts to clean voter rolls," Mitchell wrote. "Do you mind sending me those databases and any information about them, so I can forward them to the National Working Group on Voter Rolls?"

A week earlier, Secretary Warner had spoken at a convening of the Voter Rolls National Working Group, hosted by the Virginia Institute for Public Policy (VIPP), about steps West Virginia was taking to maintain list accuracy. [Reporting](#) in May 2023 indicated Mitchell's Election Integrity Network was being partially folded into VIPP, which is a member of the State Policy Network, an alliance of more than 100 think tanks that regularly [advocate](#) for extreme right-wing policies.

That same week, Warner and his general counsel Donald Kersey had presented at a webinar about post-ERIC plans to clean voter rolls. The discussion was hosted by the Election Integrity Network and Virginia Fair Elections, a coalition that includes "election integrity" groups. A June 2023 email also illustrates the extent to which, with ERIC out of the picture, Warner's office was working with VIPP and Mitchell's network: In the email, the Election Integrity Network's Julia Hecht mentioned that Kersey had requested a handout that had been shared with VIPP's voter rolls working group by Rick Richards, a retired Georgia medical doctor who in summer 2022 founded a company known as EagleAI NETWORK.

EAGLEAI

EagleAI is a database used by right-wing activists on the hunt for voter fraud. [Reporting](#) by Documented found that Valid Vote, EagleAI's associated nonprofit, was formed around the same time by Compass Legal Group, a firm associated with Mitchell. EagleAI materials [assert](#) that the software will become "the tool of reckoning across the nation," and an EagleAI planning document [refers](#) to the software as "[E]xcel on steroids."

Election experts have uniformly been unimpressed by EagleAI. Georgia Elections Director Blake Evans, "EagleAI draws inaccurate conclusions and then presents them as if they are evidence of wrongdoing," adding that the program "offers zero additional value to Georgia's existing list maintenance procedures." Despite these vulnerabilities, EagleAI and its proponents, including Mitchell, have argued for state and local election officials to use the company's voter roll management software as an "alternative" to ERIC, with Valid Vote reportedly setting a [goal](#) of raising \$2.1 million in advance of the 2024 elections.

Despite warnings from voting-rights experts and the state elections board that the software "[draws inaccurate conclusions](#)" and could not be trusted to provide reliable

information, Georgia’s Columbia County agreed earlier this month to use EagleAI. We obtained records that include an email from the county elections director to EagleAI founder Richards just two months earlier asking about an alleged “hack” that had been mentioned at a county election board meeting.

Richards acknowledged in his email that EagleAI servers became inoperative in October “possibly due to an attack on the Windows server software.” Richards said that the company took security “very seriously” and noted that EagleAI “contains only public available data” — a shortcoming shared by the inter-state agreements seeking to replicate ERIC, whose secure use of information from non-public DMV databases makes it reliable and effective. (See also our discussion of how states’ attempts to replace ERIC have fallen short.)

VOTEREF.COM

EagleAI is not the only tool that voter-fraud activists could use to crowdsource data for the purposes of issuing voter challenges. Reporting suggests EagleAI interacts with VoteRef.com, an online project designed to be a resource for people who want to inspect voter rolls that is run by Gina Swoboda, the executive director of the Voter Reference Foundation and a former organizer of Donald Trump’s 2020 campaign in Arizona.

Voting-rights and privacy advocates have voiced concerns that, like EagleAI, VoteRef could be used not just to compromise individual privacy, but also to intimidate voters, cause mass cancellations of voting registrations, and inundate local election offices with burdensome, time-consuming, and inaccurate challenges.

Mitchell also appears to have been involved in facilitating connections between VoteRef and election officials: Records we obtained show that Mitchell introduced Swoboda to Wyoming Secretary of State Chuck Gray in January 2023 and corresponded over text about voter identification records and Gray’s statements in support of auditing ballot counts by hand. Emails indicate Swoboda had contacted Gray and his office multiple times throughout the year.

Information gleaned from VoteRef has fueled numerous voter challenges and fraud allegations. In February, Ian Camacho — the research director of a group that supported defendants facing charges for participating in the January 6 insurrection — contacted a Texas Senate staffer asking about the status of dozens of challenges submitted by an “anonymous tipster” known as Totes Legit Votes.

Records of similar complaints lodged by Camacho and Totes Legit Votes with the Missouri secretary of state’s office in March suggest that they had used the VoteRef database. Camacho also cited VoteRef data in an email to election officials in Wake County, N.C., alleging instances of double voting.

OMEGA4AMERICA

Another voter data monitoring software being pushed by fraud activists is Omega4America. For instance, documents show that in Arizona, state Sens. Wendy

Rogers, a vocal election denier, and John Kavanaugh both separately emailed Swoboda to ask for her thoughts about the technology.

According to the Texas Tribune, the software was initially funded by MyPillow CEO and prominent election denier Mike Lindell. The program’s creator, Jay Valentine, was active in post-2020 election denial efforts, as revealed in other documents we uncovered, including by pushing his “fractal programming technology” as a way to identify supposed voter-roll issues and authoring a report used by government officials and activists seeking to cast doubt on Wisconsin’s 2020 election results.

Valentine also appears to be trying to step into the empty space ERIC once filled. In March 2023, Valentine sent a letter to Texas Sen. Bryan Hughes, who sponsored the legislation pulling Texas out of ERIC, offering to demonstrate how Omega4America’s Fractal technology could be used “to study Texas voter rolls and clean them of phantom voters and fake addresses.” Valentine also pitched the system to Texas Secretary of State Jane Nelson in May as “the most comprehensive, scalable voter roll management, reporting and monitoring system in production today.” Other documents obtained by American Oversight and reported on by NPR reveal that in August, Nelson shared with top staff an “[i]nteresting article” written by Valentine about his Fractal technology.

Notably, none of the replacement programs — or the interstate agreements that have been devised across the country — contain provisions aimed at increasing voter participation. Despite the demonstrated effectiveness of ERIC as well as the unproven claims, uncertain costs, and alarming opportunities for voter intimidation inherent in programs like EagleAI and VoteRef, election deniers are fiercely advocating for ERIC replacements that would advance their own anti-democratic agenda, and perhaps line their pockets.

[\[BACK TO TOP\]](#)

SECRETARY NELSON SHARES END-OF-YEAR REMINDERS FOR BUSINESS FILINGS

Freestone County News

December 19, 2023

<https://freestonecountytimesonline.com/secretary-nelson-shares-end-of-year-reminders-for-business-filings/>

Monday, Texas Secretary of State Jane Nelson reminded Texans about important filing deadlines as the end of the year approaches.

“Many businesses and other entities that file with the Secretary’s office should make a plan for documents dated 2023,” said Secretary Nelson. “As an agency, we cannot backdate filings received after the deadline.”

Documents received by mail

For documents submitted by mail, a complete and correct filing must be received on **December 28 by 4 p.m.** in order to have a 2023 date. Documents received after that deadline will have a 2024 file date. Please note, the Secretary of State’s office will be closed December 22-26 and December 29-January 1 in observance of the holidays.

Documents submitted digitally

Documents may be submitted digitally through [SOSDirect](#) or [SOSUpload](#). To receive a file date of 2023, digital documents must be **received** by 11:59 p.m. Central Time December 31. However, filers are encouraged to not wait until the last minute.

Other information to consider:

1. The fastest way to submit most business filing documents is through [SOSDirect](#). However, not all documents can be submitted online due to statutory requirements. Plan ahead as needed.
2. Do not include payment information such as credit card numbers, form instruction pages, confidential or personal information on documents uploaded online through [SOSUpload](#).

[\[BACK TO TOP\]](#)

Secretary Nelson shares end-of-year reminders for business filings

Gilmer Mirror

December 19, 2023

www.gilmermirror.com /2023/12/19/secretary-nelson-shares-end-of-year-reminders-for-business-filings/

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[\[BACK TO TOP\]](#)

Countywide voting will remain for March primaries after Travis County political parties reach deal

KUT 90.5

Luz Moreno-Lozano

December 19, 2023

www.kut.org/politics/2023-12-19/countywide-voting-will-remain-for-march-primaries-after-travis-county-political-parties-reach-deal

Travis County voters will not lose the ability to cast a ballot anywhere in the county during the March primaries after the Republican and Democratic parties reached an agreement late Monday.

The two parties have been negotiating for weeks about how to administer the March 5 election. Travis County Republican Party officials had been pushing to count ballots by hand. A spokesperson for Texas Secretary of State Jane Nelson confirmed to KUT last week that that would have eliminated countywide voting.

Travis County voters have been able to cast a ballot wherever is convenient for them for more than a decade. Election experts say countywide voting can be helpful for working-class voters and shift workers.

The political parties must enter a contract on how to administer each election, including agreeing on polling sites and equipment. It has been the tradition for at least the last 30 years in Travis County for the parties to come to an agreement.

The delay means the two parties were unable to move forward on training election workers and testing equipment.

Katie Naranjo, chair for the Travis County Democratic Party, called the deal an important victory for all Travis County voters.

“Countywide voting is essential to ensuring an accessible and accountable election,” she said. “The ability to vote anywhere in the county uniquely impacts voters of color, suburban voters and shift workers. ... That was our biggest concern — working-class voters, many of them are essential workers of our community and their voices wouldn’t be heard.”

Travis County Republican Party officials said they are trying to improve voter turnout and rebuild trust in the system. But there has been no evidence of fraud in the 2020 presidential election, as other Republican groups have claimed. In fact, former President Donald Trump carried Texas in that election by nearly 6 points. But nationwide, President Joe Biden beat Trump by over 7 million votes.

Matt Mackowiak, the chairman of the county GOP, said in a written statement the party secured "the strongest election integrity provisions in county history for the 2024 GOP primary."

“Instead of executing a standard primary contract as we have the past three election cycles, [Travis County Republican Party] sought to increase voter confidence in elections by significantly improving transparency and ensuring specific provisions were included to allow for auditability and accuracy, with little to no impact to the voter experience," he said.

Those provisions include hand counting all mail-in ballots and requiring a voter check-in with a paper roster, in addition to the electronic check-in process already in place. The contract also calls for some additional ballot reports and tabulations, which Mackowiak says ensures transparency and accuracy.

“A majority of Republican voters have serious concerns about how recent elections have been conducted both in Texas and nationally, so we decided to respond by demanding provisions that enable election audits and improve transparency and accuracy,” he said. “These important victories will increase confidence in local elections. We expect it will lead to increased volunteer enthusiasm for election workers and increased voter participation.”

The Travis County Republican Party is still pushing for hand counting of early ballots, which it said would cost thousands more and require an additional 2,000 volunteers.

Travis County Clerk Dyana Limon-Mercado said there are certain criteria the party would have to meet in order for early ballots to be hand counted. It has until Dec. 31 to meet the criteria under the contract, which Travis County commissioners approved Tuesday. Regardless, she said, countywide voting will continue.

Naranjo said the Democratic primary will include the same additional paper check-in process at the polls, adding a few more seconds to the process, but the voter experience will remain mostly unchanged. She said the party was willing to make the concessions to ensure everyone's voice and vote is accounted for.

"I think it's really important that people be informed and have trust [in the system]," she said, "as well as how these results actually come about."

The last day to register to vote in the primaries is Feb. 5. Early voting runs from Feb. 20 to March 1.

[\[BACK TO TOP\]](#)

Trump Is Disqualified From 2024 Ballot, Colorado Court Says in Explosive Ruling

Maggie Astor

New York Times

December 19, 2023

[www.nytimes.com /2023/12/19/us/politics/trump-colorado-ballot-14th-amendment.html](https://www.nytimes.com/2023/12/19/us/politics/trump-colorado-ballot-14th-amendment.html)

The decision, the first by a court to find that Donald Trump is ineligible to hold office again because he engaged in insurrection, is likely to put a monumental case before the U.S. Supreme Court.

Former President Donald J. Trump at a rally in Durham, N.H., last week. His political opponents have sought to keep him off the 2024 presidential ballot by citing the 14th

Colorado's top court [ruled on Tuesday](#) that former President Donald J. Trump is disqualified from holding office again because he engaged in insurrection with his actions leading up to the Jan. 6 storming of the Capitol, an explosive ruling that is likely to put the basic contours of the 2024 election in the hands of the U.S. Supreme Court.

The Colorado Supreme Court was the first in the nation to find that Section 3 of the 14th Amendment — which disqualifies people who engage in insurrection against the

Constitution after taking an oath to support it — applies to Mr. Trump, an argument that his opponents have been making around the country.

The ruling directs the Colorado secretary of state to exclude Mr. Trump's name from the state's Republican primary ballot. It does not address the general election.

"We do not reach these conclusions lightly," a four-justice majority wrote, with three justices dissenting. "We are mindful of the magnitude and weight of the questions now before us. We are likewise mindful of our solemn duty to apply the law, without fear or favor, and without being swayed by public reaction to the decisions that the law mandates we reach."

Mr. Trump's campaign said immediately that it would appeal the decision to the U.S. Supreme Court. The Colorado justices anticipated that likelihood by putting their ruling on hold at least until Jan. 4; if Mr. Trump appeals before then, the hold will continue until the Supreme Court rules. And while Tuesday's ruling applies only to one state, it could all but force the nation's highest court to decide the question for all 50.

"It's hard for me to see how they don't take this one, because this certainly seems to be one of those questions that requires some national resolution," said Anthony Michael Kreis, an assistant professor of law at Georgia State University who has closely followed the Colorado case and related lawsuits around the country.

If the justices take up the case, it will join a pile of other Trump-related matters they have agreed or are likely to decide, including [whether he is immune from criminal prosecution](#) for actions he took in office and [the scope of an obstruction charge](#) that is central to his federal Jan. 6 case.

The U.S. Supreme Court has a 6-to-3 conservative majority, with three justices appointed by Mr. Trump himself, and it is already under extraordinary political pressure and scrutiny both for [its rulings](#) and [its justices' ethics](#).

"Once again, the Supreme Court is being thrust into the center of a U.S. presidential election," said Richard L. Hasen, an election law expert at the University of California, Los Angeles, who compared the stakes to [Bush v. Gore](#). "But, unlike in 2000, the general political instability in the United States makes the situation now much more precarious."

In [the Colorado court's lengthy ruling](#) on Tuesday, the justices there reversed [a Denver district judge's finding last month](#) that Section 3 did not apply to the presidency. They affirmed the district judge's other key conclusions: that Mr. Trump's actions before and on Jan. 6, 2021, constituted engaging in insurrection, and that courts had the authority to enforce Section 3 against a person whom Congress had not specifically designated.

“A majority of the court holds that President Trump is disqualified from holding the office of president under Section 3 of the 14th Amendment to the United States Constitution,” the justices wrote. “Because he is disqualified, it would be a wrongful act under the Election Code for the Colorado secretary of state to list him as a candidate on the presidential primary ballot.”

Mr. Trump’s campaign denounced the ruling, which is likely to inflame a Republican base that he has primed to see the array of civil and criminal cases against him as a witch hunt. Politically, his standing among Republican primary voters has only risen in the wake of the dozens of criminal charges against him.

“Unsurprisingly, the all-Democrat appointed Colorado Supreme Court has ruled against President Trump, supporting a Soros-funded, left-wing group’s scheme to interfere in an election on behalf of Crooked Joe Biden by removing President Trump’s name from the ballot and eliminating the rights of Colorado voters to vote for the candidate of their choice,” a campaign spokesman, Steven Cheung, said. “We have full confidence that the U.S. Supreme Court will quickly rule in our favor and finally put an end to these un-American lawsuits.”

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Similar lawsuits in [Minnesota](#) and [New Hampshire](#) were dismissed on procedural grounds. A judge in Michigan [ruled last month](#) that the issue was political and not for him to decide, and an appeals court affirmed the decision not to disqualify Mr. Trump there. The plaintiffs have appealed to the Michigan Supreme Court.

Tuesday’s ruling “is not only historic and justified, but is necessary to protect the future of democracy in our country,” Noah Bookbinder, the president of Citizens for Responsibility and Ethics in Washington, said in a statement. His organization represented the voters seeking to disqualify Mr. Trump in Colorado.

Mr. Trump himself, who has routinely railed against unfavorable rulings, did not explicitly mention the Colorado Supreme Court decision in a speech Tuesday evening in Waterloo, Iowa — but his campaign was already fund-raising off it. An email to his supporters accused Democrats of trying to “nullify” Trump votes and asked for contributions to help defend his place on ballots.

Republican elected officials quickly circled the wagons around Mr. Trump, and a super PAC supporting him blasted out some of their comments to supporters.

In one more illustration of the unusual nature of the 2024 Republican primary race — in which even the candidates seeking to defeat Mr. Trump for the party’s nomination have largely shied away from condemning him — his main rivals, Ron DeSantis and Nikki Haley, both suggested that the ruling was an abuse of judicial power.

The case hinged on several questions: Was it an insurrection when Trump supporters stormed the Capitol on Jan. 6, 2021, trying to stop the certification of the 2020 election? If so, did Mr. Trump engage in that insurrection through his messages to his supporters beforehand, his speech that morning and his Twitter posts during the attack? Do courts have the authority to enforce Section 3 of the 14th Amendment without congressional action? And does Section 3 apply to the presidency?

Judge Sarah B. Wallace, who made [the district court ruling](#) in Colorado, had said yes to all but the last question.

Because Section 3 enumerates several offices but not the presidency, and because the presidential oath is worded differently from the oaths of the enumerated offices, Judge Wallace concluded that the broad phrase “officers of the United States” was not intended to include the presidency. The Colorado Supreme Court disagreed.

“We do not place the same weight the district court did on the fact that the presidency is not specifically mentioned in Section 3,” the majority wrote. “It seems most likely that the presidency is not specifically included because it is so evidently an ‘office.’”

The three justices who dissented did so on procedural grounds, not on the merits of whether Mr. Trump engaged in insurrection or whether Section 3 applies to the presidency. In three separate dissenting opinions, each based on different legal arguments, they all concluded that the court had overstepped its authority.

“Even if we are convinced that a candidate committed horrible acts in the past — dare I say, engaged in insurrection — there must be procedural due process before we can declare that individual disqualified from holding public office,” Justice Carlos Samour Jr. wrote in his dissent.

He added, “I am disturbed about the potential chaos wrought by an imprudent, unconstitutional and standardless system in which each state gets to adjudicate Section 3 disqualification cases on an ad hoc basis.”

Several legal experts emphasized in interviews with The New York Times that the case involved novel legal and constitutional questions — ones for which there is no clear precedent. “This is a provision of the Constitution that we just didn’t expect to start using again,” Jessica Levinson, a professor at Loyola Law School, said of Section 3, which was written after the Civil War to prevent members of the Confederacy from holding office.

Professor Hasen, of U.C.L.A., called the ruling “very carefully crafted and considered.”

“That said, many of the issues that the Colorado Supreme Court resolved could well be decided differently by the U.S. Supreme Court if it ends up reviewing the case on the merits,” he said. “Many of these are issues of first impression that courts have never had to address before.”

Michael Gold and Adam Liptak contributed reporting.

[\[BACK TO TOP\]](#)

Political parties reach joint primary agreement to preserve countywide voting

Nina Hernandez

Austin Monitor

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[www.austinmonitor.com /stories/2023/12/political-parties-reach-joint-primary-agreement-to-preserve-countywide-voting/](http://www.austinmonitor.com/stories/2023/12/political-parties-reach-joint-primary-agreement-to-preserve-countywide-voting/)

After weeks of unusual delay, Democrats and Republicans in Travis County entered into a joint agreement on Tuesday that will preserve countywide voting and electronic ballots in the March 2024 primary election.

These agreements set the rules by which the Travis County Clerk’s Office administers the primary elections. But the Travis County Republican Party’s [push for hand-counting](#) ballots delayed adoption of the agreement this year. That led to a press conference by the Travis County Democratic Party during which its chair, Katie Naranjo, attributed the delay to [election denialism](#) within the Republican Party.

The parties reached an agreement Monday evening, and the Travis County Commissioners Court gave its approval Tuesday afternoon.

In a post to social media on Tuesday, the local Democratic party wrote, “Countywide voting is preserved for (early voting) and (election day)! This is a huge victory for workers, voters of color, suburban voters, all voters! Expect changes to the GOP primary with minimal impacts to the Dem primary.”

In statements to [KXAN](#) and the [Austin American-Statesman](#), Travis County Republican Party Chair Matt Mackowiak praised “election integrity” and refuted TCDP’s accusations of election denialism.

The provisions that were added to the contract expand Republicans’ ability to audit the election results. The provisions include adding a paper roster to the voting process –

pending approval from the Texas secretary of state – and the ability to hand-count mail-in ballots. Republicans must make a decision on hand-counting mail-in ballots no later than Jan. 15. Republicans also have until Dec. 31 to decide whether to hand-count early vote totals.

According to [reporting](#) in *The Washington Post*, the nationwide push by Republicans for hand-counting in lieu of electronic voting machines is rooted in unfounded skepticism about the results of the 2020 presidential election, which Donald Trump lost to Joe Biden.

If Republicans do choose to hand-count early vote totals, the party will need sufficient volunteers, space and equipment in order to complete the task. In that case, it would be able to access the ballots on the morning of election day and legally must complete the count within 36 hours. Additionally, the entire process must be livestreamed.

The agreement stipulates that no Travis County Democratic Party volunteer or staffer may be asked to participate in the Republican effort. Naranjo has repeatedly challenged the Republicans on their ability to fund such an effort.

If Republicans choose to forgo hand counting, the voter-facing process for both parties will look much the same as they did in the last primary. Internal processes within the clerk's office will change, in particular depending on the secretary of state's decision.

In addition to the agreement, the Commissioners Court also approved early voting sites on its consent agenda. Early voting begins Tuesday, Feb. 20, and ends Friday, March 1. Seven sites will feature extended hours on the last two days of early voting, including the Flawn Academic Center at the University of Texas, the Lakeway Activity Center and the Pflugerville Independent School District Rock Gym.

[\[BACK TO TOP\]](#)

Why election laws in Georgia and Texas remain a threat

By BRAKKTON BOOKER

Politico

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www.politico.com/newsletters/the-recast/2023/12/19/georgia-texas-election-law-naacp-00132491

What up, Recast fam! A programming note: This will be our final Recast of 2023. We'll be on hiatus for the rest of the year, returning to your inboxes on Wednesday, Jan. 3. Wishing you all a restful holiday season and blissful start to 2024, which we're sure will be totally quiet since not much will be going on. OK, let's jump in.

Voting rights advocates are gearing up for a busy start to 2024 as a pair of court challenges to recently enacted election laws make their way through the legal system.

In Texas, a six-week federal trial wrapped in October where nearly two dozen state and national organizations brought a series of lawsuits against the state's [Senate Bill 1](#). Enacted in 2021, the law ushered in a major restructuring of state voting laws, moving to curtail some provisions that made it easier to cast ballots during the height of the pandemic, including 24-hour and drive-thru voting and loosening rules around mail-in ballots.

Historically Black sorority Delta Sigma Theta and the NAACP Legal Defense Fund are among the groups suing the state, arguing the Texas law violates federal legislation, including the Voting Rights Act, the Rehabilitation Act, the Americans with Disabilities Act — along with the First, 14th and 15th Amendments.

Oral arguments for post-trial submissions in that case are slated for Feb. 13.

Both LDF and Delta Sigma Theta are mounting a similar legal challenge to Georgia's election law, [commonly referred to as SB 202](#). No trial date has been set in that case.

You'll get a weekly breakdown of how race and identity are the DNA of American politics and policy.

These legal actions come as the Republican-led legislatures in Texas and Georgia defend their new voter laws as necessary to prevent fraud and to more accurately account for who is participating in state-run elections. Defenders of the law in both states say the laws are working as intended. In Georgia in particular, proponents point out that, contrary to critic's dismal predictions, the state saw [record turnout during the 2022 midterms](#), where more votes were cast than any previous midterm election, including early voting and mail-in votes.

In Texas, while the [2022 turnout was down from the previous high](#) in 2018, it still fared better than most recent midterm elections in the state.

On the face of it, robust voter turnout in those states severely undercuts voting rights advocates' central challenge to the standing of the election laws. But both **Meka Simmons**, general counsel and chief compliance officer at Delta Sigma Theta Sorority, Inc., and **Amir Badat**, voting special counsel and manager at the NAACP Legal Defense Fund, tell me that couldn't be further from the truth.

We discuss why they say voter turnout is a fickle metric for measuring the impact of these laws — particularly for voters of color — and how the failure to pass federal voting rights

legislation when Democrats controlled all three branches of government has made their fight for equitable voting laws more challenging.



This interview has been edited for length and clarity.

THE RECAST: I understand the central argument in both cases is that these laws suppress voter participation by erecting cumbersome hurdles. And those hurdles, you argue, disproportionately impact particular voters of color.

But in Georgia for example, **Brad Raffensperger**, the state's Republican secretary of state, sent out a memo last year touting the record numbers of voters that participated in the midterm elections, particularly in the runoff in the Georgia Senate race between **Herschel Walker** and Sen. **Raphael Warnock** (D-Ga.).

Do you think these arguments that these voting laws are restrictive are sort of falling on deaf ears?

MEKA SIMMONS: Our decision to join these cases was not a party-based decision. We are nonpartisan. Our decision to join these cases was about equality and justice and looking at the impact that these laws could have.

Just because there was record turnout in Georgia that year doesn't mean that you let a law stand that could ultimately have a negative impact. The law itself is a threat.

To have something standing that could allow for that type of detrimental and unfair impact, particularly to Blacks, Latinos or people with disabilities, is just not acceptable.

AMIR BADAT: I think this is a really, really important question, because there is this narrative out there that says, "What are you talking about voter suppression? We've had incredible turnout, including the states that are saying or passing all of these voter suppression laws." And I think it's really a misleading narrative for a couple of reasons.

First, turnout is a fickle metric for measuring the impact of these particular laws.

That's because there are so many variables that go into how voters turnout on a particular Election Day, including who's on the ballot to whether or not it's raining — all of those things go into how many people ultimately come out to vote.

So that's why as a voting rights attorney, we don't look at turnout as the primary metric in terms of measuring what the impact of a particular voting law is. The metric that we use is the [cost of voting](#). There can be transportation costs, there can be health costs with Covid ... and all sorts of costs like that, that we have to look at.

On the issue of turnout, we saw records in 2020, particularly among Black and Hispanic [voters] before laws like SB 1 and SB 202 came into place. It led legislatures to implement these laws that tried to suppress the vote. The fact that turnout has still continued to be very high is *despite* the impact of the new voting laws.

THE RECAST: Not to belabor this point, but Warnock and the Democrats won in Georgia during the 2022 midterms — with the new voting laws on the books. If Democrats have successfully made a previously red state into a purple state, why are you pushing so hard against this? And in Texas, in Harris County, which includes Houston, are there places you can point to voters being turned away in disproportionate numbers?

BADAT: Yes, absolutely. In SB 1 in Texas, we saw unprecedented [rejection rates of mail-in ballots](#) in the March 2022 primary, the first major election after SB 1 was passed. The rejection rates skyrocketed because of the law's provision that requires placing either your driver's license number or your Social Security number on both the application to vote by mail, and the ballot to vote by mail. And it requires that that number match what is already in the voter registration database.

As you can imagine, a lot of people probably don't remember what is in their voter registration file; they might not remember their driver's license number off the top of their head; their handwriting might be difficult to read; it might be difficult for people to read what the actual number is.

There is evidence we presented from witnesses with disabilities, who said that they could not get the assistance that they need. They were not able to get people to assist them with casting their ballot because of provisions that require them to disclose certain information about who was assisting them which subjects people to potential criminal penalties if they might make a mistake filling some of those forms.

SIMMONS: And to Amir's point, I would simply say, our focus is on whether or not the legislation is equitable — in theory or impact, right? Interestingly enough, when we were in court in Texas, part of the state's argument was: "Well, no one's gone to jail yet."

No one's gone to jail yet, but people have gone to jail in the past in Texas, and to have legislation on record that would allow for it to be a felony for a person to make a misstep in assisting someone to vote in these really nuanced ways is just inequitable when you think about who's impacted by it.

So you might not see it now. But as the country progresses — and we're in a fight for our democracy on all levels — we don't want to allow that to stand on the books. We can't.

THE RECAST: If we could take just a step back for a little bit and just acknowledge that politics plays a role in all of this, right? How much of your challenge to some of these state

laws is a direct result of Democrats who had control of the Senate and the House when Biden got elected, but were unable to pass federal updates to voting rights laws, like the [John R. Lewis Voting Rights Advancement Act](#) and the [For the People Act](#)?

SIMMONS: Look, the lack of federal protection puts us in a position where we don't have any other choice, but to attack this on a state level. We are working with our friends and partners at the LDF and we're not just taking the approach of litigation in court. We're looking at legislation, proactive legislation that will codify equality and voting access and voters' rights.

We're hopeful that if we are able to be successful in these states that have a history of suppressing voter rights, that will lead to more acceptance and a movement across the nation. If we're able to be successful in Texas, that would be huge. That says a lot about equality and equity, because it is a red state and it will show this is apolitical, it's about everyone's voice deserving to be heard.

BADAT: We've been obviously working very, very vigorously for federal legislation to be passed for years now to cure some of the damage that's been done by the Supreme Court in the [Shelby County v. Holder](#) and the [Brnovich v. Democratic National Committee](#) to the Voting Rights Act.

Obviously we've had some successes on the state level, but we haven't been able to get bills passed on the federal level. But while that fight continues, we're still working on the state level to ensure that these bad state-level voter suppression laws are being challenged in court.

So that requires a multipronged approach from us and we're going to continue fighting at all levels to make sure that we have the protections in place to allow Black and Hispanic and other voters of color and voters from marginalized communities to be able to cast their ballots — and have them counted.

[\[BACK TO TOP\]](#)

No proof foreign interference affected '22 elections

Ryan Chatelain
Spectrum
December 19, 2023

<https://ny1.com/nyc/all-boroughs/politics/2023/12/19/report-on-2022-foreign-election-interference#:~:text=By%20Ryan%20Chatelain%20Washington%2C%20D.C.&text=There's%20no%20evidence%20that%20any,Homeland%20Security%20Secretary%20Alejandro%20Mayorkas.>

There's no evidence that any foreign interference efforts affected the results of the 2022 federal midterm elections, according to [a joint report](#) by Attorney General Merrick Garland and Homeland Security Secretary Alejandro Mayorkas.

Although Garland's and Mayorkas' departments detected online activity from pro-Russian hackers and suspected Chinese and Iranian cyber actors, there was no proof that election infrastructure networks were compromised, the report said.

The five-page analysis, released Monday, provides a declassified overview of findings from a classified report detailing how foreign governments might have sought to target the security and integrity of U.S. elections. President Joe Biden ordered the report in February.

The findings did not address whether action by foreign governments, such as social media campaigns, affected public opinion or voters' behavior.

The federal officials wrote that pro-Russian "hacktivists" claimed to have conducted an attack that temporarily restricted access to a public-facing U.S. state election office website.

According to the report, which is based on intelligence assessments, suspected cyber actors from China scanned both election-related and non-election state government websites and also collected publicly available U.S. voter information.

Cyber actors affiliated with Iran also connected to campaign infrastructure networks during the elections, according to the report, which did not provide more information about Iran's alleged actions.

But there is no evidence the detected activity prevented voting, changed votes, disrupted vote counts or altered any technical aspect of the voting process, the report said.

The intelligence community assessment said it's unclear if the actors accessed the networks to conduct election-focused operations or to inform their countries' foreign policy interests.

The attorney general and Homeland Security secretary issued three recommendations for future elections, largely continuations of ongoing tactics.

They said election officials, third-party vendors, political organizations and campaigns should fortify their networks' security by using defensive measures, including firewalls, patches, multifactor authentication, cybersecurity training and pre-election testing of voting equipment.

The federal government should also continue to help agencies and organizations involved in elections by providing tips on how to best protect election infrastructure, the officials said.

And the U.S. government should also extend and expand its public messaging campaign to warn voters about how foreign adversaries could seek to threaten American elections and what voters can do to mitigate their effects, Garland and Mayorkas suggested.

Following the 2016 presidential election, the U.S. intelligence community and a bipartisan Senate report concluded that Russia interfered with the election using a vast disinformation campaign authorized by Russian President Vladimir Putin with the goal of helping Donald Trump win. The intelligence community did not assess whether Russia's efforts affected the result of the election.

There were several false claims that foreign interference might have changed the outcome of the 2020 presidential vote. But the Department of Homeland Security's Cybersecurity and Infrastructure Security Agency and the National Association of State Election Directors described the 2020 election as "the most secure in American history."

According to the report by Garland and Mayorkas, the U.S. intelligence community assessed in September 2022 "that it would be difficult for a foreign actor to manipulate election processes at scale without detection by intelligence collection, post-election audits, or physical and cybersecurity monitoring of voting systems across the country."

[\[BACK TO TOP\]](#)

'Our Elections Are Not for Sale': Texas Lawmaker Pushes for Nationwide Election Reform

Dan Hart

Washington Stand

December 18, 2023

[washingtonstand.com /news/our-elections-are-not-for-sale-texas-lawmaker-pushes-for-nationwide-election-reform](https://www.washingtonstand.com/news/our-elections-are-not-for-sale-texas-lawmaker-pushes-for-nationwide-election-reform)

In the wake of an [astounding poll](#) released last week revealing that roughly 20% percent of mail-in voters admitted to committing fraud in the 2020 election, deep concerns over election integrity continue to ripple across the country as the 2024 election approaches. Experts say that the passage of state legislation aimed at upholding the integrity of elections in Georgia and Texas in recent years should be replicated in other states.

In 2021, Georgia [enacted](#) legislation that, among other provisions, required government-issued ID to vote and tightened restrictions on mail-in ballots. The bill received immense

pushback from the Left and the mainstream media, who slammed it as “Jim Crow 2.0” due to the view that it would discourage minorities from voting. However, election turnout in Georgia in the 2022 midterms proved to be an [all-time record](#), and [0% of polled black voters](#) reported a “poor” experience.

That same year, Texas Governor Greg Abbott (R) [signed into law](#) legislation that created uniform statewide voting hours, prohibited drive-through voting, authorized poll watchers, and tightened mail-in ballot regulations, among other provisions.

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On Monday, Texas State Senator Bryan Hughes (R) [joined](#) “Washington Watch” to discuss how his state’s election integrity bill can be a model for other states to follow.

“We have to have elections where people can know the results and accept the results and move forward if our system is going to work,” he emphasized. “... [O]ur mantra is, ‘Easy to vote, hard to cheat.’ ... We found that mail-in ballots can [have] the greatest potential for fraud — that was the case in Georgia and many states. And so we’ve cracked down on these ballot harvesters who are paid by political campaigns, and they go to the homes of vulnerable voters, mislead them, get their signatures, sometimes forge their signatures, and [are] paid by a campaign under the guise of helping the voters. ... Now in Texas, we [also] have [a] 24-hour live stream of whenever those ballots are being counted, wherever they are.”

Hughes continued, “[In] many states ... signature verification processes ... were being shortcutted. ... We also implemented voter ID for those mail-in ballots ... [so] we can verify to make sure it was you, the voter, who requested that ballot and make sure you, the voter, are the one who cast that ballot — simple commonsense reforms like that. [F]or in-person voting, [we also] expanded the hours [to make] it easier for folks to vote. And one more thing we found was happening [at] polling places, we had these vote harvesters being paid by campaigns [to] come up alongside vulnerable voters — maybe first-time voters [or those] with limited English proficiency ... They [would] come alongside these voters and say, ‘Oh, let me help you.’ ... But then it’s a voter assistant who’s doing the voting and not the voter. We’re cracking down on that. If folks need help, they’re going to get help. But we cannot have paid political operatives in the voting booth influencing voters.”

Hughes concluded by encouraging voters across the nation to push their state lawmakers to enact laws that streamline in-person voting and to put proper safeguards in place to govern mail-in ballots.

“Mail-in ballots [are] an important tool for folks who are disabled [or] who are going to be out of the country,” he noted. “But as you know, states are pushing for universal mail-in

ballots. ... That is a recipe for fraud [and] for elections that we cannot trust. So we want to make the in-person voting process as smooth and easy and secure as we can. And for those folks who need to vote by mail, that's important. Make sure we have those checks in place [by] making sure it's the voter requesting the ballot, the voter casting the ballot, [and] mak[ing] sure we're matching up those signatures and keep[ing] those paid political operatives out of the process. Our elections are not for sale. [We] want to keep it that way."

[\[BACK TO TOP\]](#)

Senate District 30 Candidates Challenge Opponent's Residency Eligibility

Cameron Abrams

The Texan

December 19, 2023

[thetexan.news /elections/2024/senate-district-30-candidates-challenge-opponents-residency-eligibility/article_530a2d1a-9deb-11ee-8a05-efab723a3fa3.html](https://thetexan.news/elections/2024/senate-district-30-candidates-challenge-opponents-residency-eligibility/article_530a2d1a-9deb-11ee-8a05-efab723a3fa3.html)

The race for the open Senate District (SD) 30 seat has already gained a notable amount of attention, with a surprising retirement, and a congressman announcing and then rescinding his intention to run. With multiple candidates now announced, a new question has been raised about one challenger's residency in the district.

In November, Sen. Drew Springer (R-Muenster) of SD 30 made the [announcement](#) that he would not be seeking re-election. A 12-year veteran of the Texas Legislature, Springer drew a two-year term after his most recent election, notable because Senate seats are typically up every four years. The Texas Constitution requires members of the Senate to draw for two-year terms after the state redraws its political district maps every 10 years.

Springer said his decision was a "deeply personal one" and that he has "always strived to be a steadfast conservative, earning a reputation as a top-ranked conservative during every session."

Quickly after Springer's announcement, rumors began to swirl about who would run for the now-open seat.

Frisco doctor [Carrie de Moor](#) had previously announced she would primary Springer in 2024, labeling him "a career politician who has been a close ally of liberal Texas House Speaker Dade Phelan."

A big name that initially showed interest in the SD 30 seat was Congressman [Pat Fallon](#) (R-TX-4), who filed to run and garnered endorsements from prominent state officials like Lt.

Gov. Dan Patrick before backing out and withdrawing his announcement the same week. Fallon will instead seek re-election to his current congressional seat.

Patrick, Gov. Greg Abbott, and former Gov. Rick Perry then put their support behind Brent Hagenbuch, the former chairman of the Denton County Republican Party.

Two other [notable](#) names in the race are Air Force veteran and attorney Jace Yarbrough and former Denton police officer Cody Clark.

On the eve of the December filing deadline, Clark accused Hagenbuch of being “ineligible to run” because he did not meet the residency requirements for SD 30. Clark filed a formal [complaint](#) to “investigate the criminal offense of Tampering with a Governmental Record.”

Yarbrough also stated on social media he had submitted a [letter](#) to Republican Party of Texas Chairman Matt Rinaldi “calling for him to remove Brent Hagenbuch from the primary ballot.”

“The evidence is clear: Hagenbuch does not reside in our district,” Yarbrough stated. “SD 30 belongs to the people of SD 30.”

De Moor also filed a lawsuit challenging Hagenbuch’s eligibility for SD 30, [writing](#), “It had to be done. Integrity is everything.”

Yarbrough’s [letter](#) to Rinaldi presents comprehensive documentation detailing the alleged discrepancy with Hagenbuch’s residency in SD 30 and arguing that his “claim to residency in Senate District 30 is a sham.”

The law firm representing Yarbrough’s challenge provided evidence that alleges Hagenbuch is a resident of and votes in elections for SD 12, not SD 30. It also claims Hagenbuch has only been a resident of SD 30 for one and a half months and that the property used to establish his residency is for “office purposes,” which the firm says “conclusively establishes Mr. Hagenbuch fails to satisfy our Constitution’s residency requirement.”

Titus Transport, a business Hagenbuch owns, is located next to the location he listed as his SD 30 residency.

Another point Yarbrough presented as evidence is that when Hagenbuch paid his filing fee to become a candidate, he used his SD 12 address on the check.

The Texas [Constitution](#) states that for a candidate to be eligible to run for the Senate, “No person shall be a Senator unless he ... shall have been a resident of this State five years

next preceding his election, and the last year thereof a resident of the district for which he shall be chosen...”

In an email to KERA News, Hagenbuch stated that he is “a resident of Senate District 30.”

“I’m spending my time campaigning for stronger borders, parent rights and a robust economy.”

“Our political opponents will do and say anything to try to stop the incredible momentum our campaign is attracting,” a spokesperson for Hagenbuch’s campaign told The Texan.

“Endorsements from Abbott, Patrick, Perry, five State Senators, major pro-life pro-family organizations, and a host of local officials and Party leaders. Brent Hagenbuch is a legal resident of Senate District 30.”

Challenges to residency requirements and eligibility have a long history in the state of Texas. In [2010](#), the 5th Circuit Court of Appeals ruled in favor of Sen. Brian Birdwell (R-Granbury), stating he could remain on the ballot despite allegations that he had voted in a Virginia election in November 2006.

According to statutes in the [Texas Election Code](#), a residence is defined as “one’s home and fixed place of habitation to which one intends to return after any temporary absences.” The statute adds that “a person may not establish residence for the purpose of influencing the outcome of a certain election.”

To hold public office in the district, the candidate must [also](#) “be registered to vote in the territory from which the office is elected.” Although these statutes are included in the Texas Election Code, there are disagreements on their interpretation.

Former Texas Ethics Commissioner Ross Fisher told the [Texas Tribune](#) in 2018 that “residency is the squishiest concept in Texas jurisprudence” and that it is “completely subjective.”

“You can claim as your residence wherever you intend to return to and live some day. It’s not a question of where is the pillow that you lay your head on every night,” Cook said. “That would be the common sense answer to a ‘where do you live’ question.”

With letters presented to Rinaldi and legal challenges filed by competing candidates, the question of Hagenbuch’s eligibility will remain open until a decision is made either by a judge or political managing authority, if they decide to take up the matter.

[\[BACK TO TOP\]](#)

Mexican president says he'll fight Texas migrant crossing law

Nick Robertson

The Hill

December 19, 2023

[thehill.com /latino/4367752-mexican-president-to-fight-texas-migrant-crossing-law/](https://thehill.com/latino/4367752-mexican-president-to-fight-texas-migrant-crossing-law/)

Mexican President [Andrés Manuel López Obrador](#) pledged to fight a new Texas law [allowing state authorities](#) to prosecute migrants entering the U.S. from Mexico.

Border issues previously were left to federal authorities, but the inclusion of state and local police contributes to rising tensions between Mexico and the U.S. as Congress [struggles to negotiate](#) border security policy.

"The foreign ministry is already working on the process to challenge this law," López Obrador said Tuesday, [Reuters reported](#).

Texas Gov. [Greg Abbott](#) (R) "wants to win popularity with these measures, but he's not going to win anything, but he'll lose favor, because in Texas there are so many Mexicans and migrants," he added.

López Obrador has frequently clashed with Abbot and Florida Gov. [Ron DeSantis](#) (R) over immigration, even encouraging Mexican-Americans not to vote for the pair.

The Foreign Ministry [filed a challenge](#) against Abbott's Rio Grande buoys in July, which were also challenged by the U.S. federal government. A federal appeals court [ordered them removed](#) from the river this month.

The new migrant prosecution also sets up a fight with the federal government over border authority because Abbott claims the Biden administration has not done enough to stem the flow of immigration across the U.S.-Mexico border.

"The goal of Senate Bill 4 is to stop the tidal wave of illegal entry into Texas. It creates a criminal offense for illegal entry into Texas from a foreign nation for repeat offenders, that creates the events of illegal reentry with a potential prison sentence term of up to 20 years," Abbott said Monday at the [bill signing ceremony](#).

"Biden's deliberate inaction has left Texas to fend for itself," he added, suggesting Texas has a right to defend itself.

El Paso County and the American Civil Liberties Union also filed lawsuits against the state on Tuesday to challenge the law. The legislation is scheduled to go into effect in March.

[\[BACK TO TOP\]](#)

GOP voter-fraud crackdown overwhelmingly targets minorities, Democrats

Justin Jouvenal
Washington Post
December 20, 2023

[www.washingtonpost.com /dc-md-va/2023/12/20/voter-fraud-prosecutions-2020/](https://www.washingtonpost.com/dc-md-va/2023/12/20/voter-fraud-prosecutions-2020/)

As [Donald Trump](#) falsely claimed the 2020 presidential election was stolen from him, Republicans in some states launched special units to prosecute voter fraud as part of a high-profile and controversial push to stamp out cheating some claimed was rampant.

But the election integrity units established or expanded in six states after Trump's loss obtained only 47 convictions during a period in which tens of millions of votes were cast, and the units overwhelmingly targeted minorities and Democrats for prosecution, according to a first-of-its-kind analysis by The Washington Post of nearly every prosecution.

The analysis found that 76 percent of defendants whose race or ethnicity could be identified were Black or Hispanic, while White people constituted 24 percent of those prosecuted by the units.

Registered Democrats made up 58 percent of those charged whose party could be identified, while registered Republicans were 23 percent. In the rest of the cases, the defendant was not registered with a particular party.

The Post was able to determine a defendant's race, ethnicity or political party in roughly 70 percent of cases.

The analysis also showed that election integrity units have not uncovered the type of wide-ranging schemes claimed by Trump and some Republican allies that might tilt an election. Instead, the vast majority of the convictions represent small-bore cheating — or, as some defendants argue, mistakes — by individual voters, such as casting two ballots, falsifying a registration or voting even if barred by a conviction.

The cases that the units pursued often collapsed.

Of the 115 cases that have been resolved as of mid-December, 42 ended in dismissal, acquittal or dropped charges — nearly the same as the number of guilty verdicts.

All of the convictions occurred in Florida, Texas and Ohio, while units in Virginia, Georgia and Arkansas failed to obtain a single guilty verdict, despite allocating dozens of staffers and millions of dollars to ferret out voter fraud.

The Post created the first comprehensive look at the work of election integrity units that were rolled out or ramped up after 2020 by compiling a database of nearly every prosecution — 136 in total — that the divisions pursued in Florida, Texas, Georgia, Virginia, Ohio and Arkansas. Individual prosecutors in those states and others can also mount their own cases and those were not counted as part of the project.

The quality of the data varied.

The Post was able to ascertain race, ethnicity and political party in all of the Florida cases, while it was only able to determine the race and political party of defendants in Texas in roughly 50 percent of cases because records provided fewer details. In Ohio, The Post found defendants' races in about 50 percent of cases and party identifications in most.

Republicans defended the units' work, but the analysis's findings alarmed some experts on voting fraud and advocates for minority groups.

Heather Sawyer, executive director of the watchdog group American Oversight, which has tracked the work of the units, said in a statement that the results show the units have been a waste of money and have undermined democracy.

"At best, these 'election integrity' units are for show, designed to placate far-right election denialists in the conservative base," Sawyer said. "At worst, they are used to justify new voting restrictions and to intimidate people — especially racial minorities — from exercising their right to vote."

Texas Attorney General Ken Paxton said in a statement that The Post was "promoting a false narrative" because it was unable to determine the race or political affiliation for about half the prosecutions in his state. His office did not respond to a request to provide those details.

Republicans said the units help give voters confidence in election results, professionalize fraud investigations and put cheats on notice. They highlighted certain cases, including that of a woman in Florida who allegedly voted twice in four elections in Florida and Alaska and another of a woman in Texas who was convicted of a vote harvesting operation.

They also said the units have done work beyond prosecuting voter fraud to ensure free and fair elections, such as combating a text message campaign in Virginia that was spreading misinformation to voters.

They denied any racial or political animus in who was prosecuted, but they were unable to explain the disparities in who was charged.

“My office’s Election Integrity Unit has several open, active investigations,” Arkansas Attorney General Tim Griffin said in a statement. “My establishment of our Election Integrity Unit — and the subsequent legislative codification — was intended to raise awareness of our office’s capabilities and role in ensuring election integrity, and the increased interest in our work is an indication it is working.”

Crackdown on voter fraud

Election integrity units existed in Arizona, Texas and other states before the 2020 election, but Trump’s conspiracy theories about a stolen contest and Republicans’ increasing fixation on voter fraud have provided fertile ground for their spread.

Paxton, who spoke at Trump’s “Stop the Steal” rally on [Jan. 6](#), 2021, and has pushed baseless claims about voter fraud, expanded the existing election integrity unit in the Texas attorney general’s office in 2020 and launched a new unit for the 2021 elections.

Last year, [Georgia legislators](#) created a bureau within the state police to probe election crimes, and [Virginia’s attorney general](#) launched a 20-person unit in his office. [Ohio’s secretary of state](#) and [Arkansas’s top litigator](#) followed with their own efforts.

Florida Gov. [Ron DeSantis](#) made one of the biggest moves, announcing the nation’s first stand-alone Office of Election Crimes and Security in April 2022. He soon touted the arrest of 20 felons for allegedly voting illegally.

“This is just the opening salvo,” DeSantis said at a news conference.

The Post was able to compile a nearly complete list of prosecutions in six states through filing public records requests with the units, interviewing officials, scouring news releases and media reports, and consulting a database of voter-fraud convictions maintained by the Heritage Foundation, a conservative think tank.

Lorraine Minnite, a Rutgers University professor who has written a book on voter fraud, said she was unsurprised there have been so few convictions, since studies, election audits and reporting have consistently shown that voter fraud is rare.

An Associated Press review found fewer than 475 cases of potential voter fraud in six battleground states during the 2020 election. A Loyola University law professor found just 31 credible reports of voter impersonation nationwide between 2000 and 2014, a period in which more than a billion votes were cast.

“They did not have a record of fraud that they needed to go and create these investigative units,” Minnite said. “The fact that they have not produced evidence of fraud is support for their lack of necessity.”

An uneven track record at trial

In Texas, Paxton's office prosecuted or handed to local prosecutors 73 cases since 2020, according to records from his office, but as of mid-December, only 10 resulted in convictions and 35 were dismissed or ended in acquittal or not-guilty verdicts. Defendants in 22 cases were put in diversion programs. Other cases are pending, or their outcomes could not be determined.

Medina County Justice of the Peace Tomas Ramirez III, a Latino Republican, said he was stunned when he got a call in 2021 from an investigator in Paxton's office saying he was being charged with 35 felony counts for an alleged scheme to harvest 17 votes from an assisted-living facility during his 2018 run for office.

Ramirez, who denied any wrongdoing, said what followed was an 18-month legal nightmare. He was suspended as a judge without pay and was looking at the possibility of the end of his legal career if he were to be convicted.

Ramirez said he was flummoxed by the charges. He had spent about 10 to 15 minutes at the assisted-living facility in question on one day, asking for residents' support and handing out cards before early voting began in 2018. He said he didn't collect any ballots.

When he reviewed the indictments and case documents, Ramirez was surprised by the scant details about how he allegedly carried out the scheme. He surmised he was charged because the Medina County election board filed a complaint about alleged irregularities in a group of votes for him from the assisted-living facility. He called the evidence against him "outrageously vague."

Paxton did not respond to a request for comment on Ramirez's case, but he said in a statement that generally "all citizens benefit when states protect the franchise by upholding fair and just elections."

A judge dismissed the charges against Ramirez after a higher court ruled Paxton's office did not have the authority to unilaterally prosecute such cases. State officials refiled the case twice more, but each time, Ramirez won another dismissal. He said he spent about \$120,000 defending himself.

Ramirez believes his prosecution was political, he said. It came as Paxton was running for reelection, and he said the attorney general wanted to look tough on voting fraud to fire up his conservative base.

"I had a stellar reputation in this community, and that took a major hit," Ramirez said.

Other cases in Texas have crumbled as well.

Last year, a jury acquitted former Edinburg mayor Richard Molina, who is a Latino Democrat, of a scheme to orchestrate voter fraud in 2017 in a case that originated with Paxton's office. Afterward, a Hidalgo County prosecutor dismissed cases against more than a dozen others charged alongside Molina.

Florida and Ohio had better track records on convictions. Florida's unit obtained 34 guilty verdicts vs. seven cases dismissed or dropped, according to state records. Ohio has obtained four convictions in the seven voter-fraud prosecutions that originated with its unit that The Post was able to identify.

"Voter fraud in Ohio is exceedingly rare because we pursue it aggressively," said Rob Nichols, who at the time of the interview was a spokesman for Ohio's Secretary of State. Only a handful of the 641 cases the office has referred to prosecutors have resulted in prosecutions.

Like those in Texas, Florida's prosecutions have stirred anger.

The Post previously reported six of the initial batch of 20 voter-fraud cases DeSantis announced against felons were dismissed or charges were dropped because judges ruled statewide prosecutors didn't have the jurisdiction to file charges. Six defendants accepted guilty pleas that called for no jail time. Two cases that went to trial ended in split verdicts, and the defendants were sentenced to probation. The remaining cases are pending.

But defendants, attorneys and advocates for the restoration of felon voting rights have sharply criticized the prosecutions of people with felony records.

Court records show defendants in a number of cases thought they were allowed to cast ballots because they had registered to vote with the state and were issued voter identification cards.

One was Nathan Hart. Hart, a White man and convicted sex offender from Tampa, said he was at the DMV in March 2020, when a worker hired by the local county asked him if he wanted to register to vote. He explained he had a felony conviction, Hart said, but the worker encouraged him to apply, saying that the state would let him know if he didn't qualify.

Weeks later, Hart said, he was issued a voter identification card, and he cast a ballot in the 2020 election thinking he was eligible to vote. He said he was shocked when deputies showed up at his door last year as part of DeSantis's initial sweep of 20 arrests.

"I couldn't understand why I was being arrested," Hart said, "because as far as I knew, I didn't do anything wrong."

In 2018, Florida voters approved a measure that allowed most disenfranchised felons to seek restoration of their voting rights, but it did not apply to sex offenders such as Hart. The state previously banned felons from voting for life.

Hart was found not guilty of voting fraud at trial, but guilty of falsely filling out his registration. He was sentenced to probation.

Desmond Meade, executive director of the Florida Rights Restoration Coalition, said Florida has criminalized widespread confusion about who was eligible to have their voting rights restored and has not established an easy way for felons to check if they have paid off fines, penalties and any late fees related to restitution so they can ensure they are eligible to vote. Meade said the confusion and prosecutions have had a chilling effect on those with criminal records registering to vote.

“With these arrests, the state basically messed up,” Meade said. “They made a mistake, but they are trying to make regular citizens pay for that mistake. In reality, it was their responsibility to issue voter registration cards to people who were qualified.”

DeSantis’s office did not respond to multiple requests for comment, but the governor has praised his unit’s work.

“We have taken bold steps to ensure Florida is the national leader in conducting fair and secure elections,” DeSantis said in a July statement.

The racial disparities in prosecutions carried over to sentences for jail and prison time. Nearly 80 percent of defendants who were given time behind bars were Black or Latino, while Whites made up only about 20 percent, according to the analysis. Nearly 75 percent sent to jail or prison were Black.

‘A paper tiger’

Former Virginia NAACP president Robert N. Barnette Jr. said he was alarmed when state Attorney General Jason Miyares rolled out an election integrity unit that would be staffed with 20 attorneys and investigators in September 2022

Barnette said he was concerned the unit would be used a tool to suppress the minority vote, so the NAACP filed an exhaustive public records request late last year seeking details on how the unit was organized and what it had been up to in its opening months.

Barnette said he was surprised by how little there was to know.

Despite the request, he said, they got no organizational chart, no approved process for conducting a voter-fraud investigation, no training guidelines and no indication of what work the unit had been doing.

The unit has maintained a low public profile since then. More than a year after it was created, it has yet to obtain a conviction, a striking contrast to the prosecutions mounted in Texas and Florida. Prosecutors recently dropped felony charges in the one active prosecution it was handling, which was filed shortly before the creation of the unit.

“It was just a show to the public,” Barnette said of Virginia’s unit. “We call it a paper tiger, a public relations ploy to pander to the election deniers.”

Miyares’s office pushed back on that characterization. A spokeswoman said the unit has investigated more than 50 complaints from the public and has about 10 open investigations, including reviews of potential double voting.

In an interview earlier this year, Miyares described the creation of the unit as a restructuring of the office’s election law activities to make them more efficient.

“The purpose of this has always been that everyone’s voting rights be protected,” Miyares said. “Not a single new lawyer was either hired or brought in to handle election law. Not a single new dime was spent on this.”

Units in Georgia and Arkansas also have obtained no convictions. The Arkansas unit, which was created in March, has three potential cases it is investigating, while Georgia has one pending investigation, according to officials in both states. Georgia state police declined to comment on the unit’s activities.

The lack of activity has led some critics to question whether the funding for these units could be better spent elsewhere. Georgia has laid out about \$580,000 on its unit, while officials in Virginia, Ohio and Arkansas said they could not break out the costs of their units because the attorneys involved handle other duties as well.

Paxton’s office spent nearly \$6.7 million on its unit over the last three years and resolved 33 cases — roughly \$203,000 a case, according to an analysis of state figures by The Washington Post. Florida’s unit has a budget of \$1.2 million in fiscal year 2022-2023 and made 52 arrests, a cost of about \$23,000 an arrest. Florida lawmakers boosted the unit’s budget to \$1.4 million earlier this year.

Lawmakers in Texas and Florida have pushed to expand prosecutors’ ability to go after election crimes, while lawmakers in other states also are looking at creating their own election integrity units. Eliza Sweren-Becker, senior counsel for the voting rights program at the Brennan Center, said that is a worrying trend.

“This is a hammer in search of a nail,” Sweren-Becker said.

[\[BACK TO TOP\]](#)

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From: Alicia Pierce
Sent: Wednesday, December 27, 2023 10:03 AM
To: Alicia Pierce
Subject: Secretary Nelson in the News



Texas Secretary of State Morning News Clips December 27, 2023

[Texas heads into 2024 with no voter crosscheck system](#) Dallas Morning News December 21, 2023 (SJM mention)

[Data Broker Rulemaking in Texas and Oregon](#)
National Law Review December 22, 2023

[Texas has no program in place to check if voters cast ballots in multiple states but is attempting to establish a system of its own in coordination with other states](#) Dallas Express December 22, 2023 (SJM mention)

[Chicago is struggling to house the migrants sent out of state by Texas Gov. Greg Abbott](#) NPR December 23, 2023

[Texans can request an absentee ballot on New Year's Day. Here's how](#) Dallas Morning News December 26, 2023

[As social media guardrails fade and AI deepfakes go mainstream, experts warn of impact on elections](#)

Associated Press December 26, 2023

[January election in North Texas could foreshadow GOP primary](#)

Dallas Morning News December 27, 2023

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NexStar December 21, 2023

[Legal challenges to the Voting Rights Act continue into the new year](#)

NPR December 24, 2023

Texas heads into 2024 with no voter crosscheck system

Philip Jankowski
Dallas Morning News
December 21, 2023

[www.dallasnews.com /news/politics/2023/12/23/texas-heads-into-2024-with-no-voter-crosscheck-system/](http://www.dallasnews.com/news/politics/2023/12/23/texas-heads-into-2024-with-no-voter-crosscheck-system/)

AUSTIN — Texas is headed into 2024 without an interstate voter crosscheck program in place after the state formally left the nation’s only functional program to check whether voters are registered to vote in two states.

Officials at the secretary of state’s office have been in contact with election officials in West Virginia, Ohio and Georgia in recent months about creating a successor program to the Electronic Registration Information Center, or ERIC, according to emails obtained by *The Dallas Morning News* through an open records request.

Texas officially [left ERIC in October](#) after a bill passed by the Legislature this year made it essentially impossible for the state to continue with its partnership with the organization, which checks for duplicates in voter rolls in more than 20 states.

ERIC was founded by Republican and Democratic election officials in 2012 to create a multi-state clearinghouse of information to clean rolls of voters who had moved or died. It also was designed to prevent “double voting,” in which a voter casts a ballot in multiple states.

The sophisticated effort has not been matched, according to Charles Stewart III, director of the MIT's [Election Data and Science Lab](#). Texas joined in 2020.

Conspiracy theories

The organization has been beset by conspiracy theories since early 2022, when a conservative website published a series of articles on ERIC that have been refuted. During that year, ERIC helped the state identify 200,000 voters who were removed from rolls after the state confirmed they had moved.

However, lawmakers in Texas seized upon the organization's requirement for states to conduct voter registration drives as a condition of participation.

Related: [Texas' top election official lays groundwork to leave voter fraud prevention program](#)

Some Republican lawmakers accused it of being a voter registration effort disguised as a crosscheck system. [The bill](#) reduced funding for participation and disallowed any new partnership to contain a voter registration component.

Critics of efforts to undermine ERIC have called it a threat to upcoming elections.

"It's all in response to election disinformation that has been fueled by conspiracy theories," said Maya Ingram, senior policy counsel at the States United Democracy Center. "This threatens the states' ability to successfully and continuously keep voter roll information current and secure."

The secretary of state's office is not currently contracting or soliciting any third-party crosscheck service, though emails indicate officials have been contacted by multiple companies soliciting their services, according to emails obtained through an open records request and a secretary of state spokesperson.

With no equal in place, the office is examining how it might obtain data from organizations or agencies to build its own system, according to an office spokesperson.

On March 10, Secretary of State [Jane Nelson announced](#) that her office was beginning an effort laying the groundwork for Texas to leave ERIC and create its own voter crosscheck program. Three days later, an official with the Ohio secretary of state's office contacted Texas' then-head of the nascent effort to create a successor to ERIC, offering her perspective, according to emails from the secretary of state's office.

[Ohio's secretary of state announced the state would leave ERIC](#) by the end of the week.

Amanda Grandjean, a senior adviser to Ohio's secretary of state, organized working groups focused on a near-term goal of sharing information state to state with a longer-term goal of creating a centralized voter crosscheck center akin to ERIC. One would focus on the specifics of sharing data while another would develop a template for any resulting agreements.

Sharing data

Through June, Grandjean appeared to lead the multistate effort along with an official at West Virginia's elections office, who surveyed election officials on their capabilities for sharing data. They traded draft memorandums of understanding proposing what agreements might look like.

It is unclear where those efforts stand. But in response to an inquiry from *The News*, a Texas secretary of state spokesperson said no agreements have been signed.

"We are talking with other states about sharing data directly, but we have not signed any MOUs (memorandums of understanding) at this time," spokesperson Alicia Pierce said.

MIT's Stewart said any successor program the states that left ERIC might create would be inferior and likely would take years of development before becoming operational. Stewart also cautioned against states using private companies to run a voter crosscheck system.

"What we are now seeing is all supply driven by vendors trying to make a buck," he said. "That is a scandal waiting to happen."

While Texas no longer has access to ERIC, the impact in 2024 should be limited.

Federal election law prevents states from removing people from voter rolls within 90 days of a federal election, including primaries. Texas is prevented from conducting a crosscheck for most of 2024 even if the state was still in ERIC.

But duplications in Texas' voting rolls will only grow until the state finds an alternative, Stewart said.

"The ability to update those registrations, Texas is probably going to be less well situated to do that in the long run," he said.

[\[BACK TO TOP\]](#)

Data Broker Rulemaking in Texas and Oregon

Liisa M. Thomas

Both [Texas](#) and [Oregon](#) recently adopted rules that will, among other things, implement a registry required by both states' data broker laws. The Texas [law](#) went into effect September 1, 2023, and the [Oregon](#) law will go into effect January 1, 2024. Both are similar to laws in [Vermont](#) and [California](#).

Texas defines data brokers more broadly than Oregon, namely entities whose "principal source of revenue" comes from collecting or transferring personal information that the entity did not itself collect. However, the requirements under the law apply only to those data brokers who over the last 12 months received 50% or more of their revenue from data broker activity or of 50,000 or more individuals. Under the Texas law, data brokers must, *inter alia*, register with the Texas secretary of state and post a privacy policy on its website saying that it is a data broker. The law called for the Texas secretary of state to create language for this notice, which it has done for both [websites](#) and [apps](#). The notice is lengthy, especially in a mobile context.

With respect to the registry, the new Texas rules address the law's requirement that data brokers register and renew annually. Those subject to the law should keep in mind that it requires disclosure not just of contact information, but also disclosing the number of breaches the data broker has suffered, and if the broker knows that it has information about children. These disclosures are no doubt linked to the law's obligations around data security, something lacking in the Oregon law. Namely, in Texas, brokers must have a "comprehensive information security program" that includes training. It also needs to include vendor oversight.

The Oregon registry process is an interim one, given that the law is going into effect in a little over two weeks. Data brokers covered by the Oregon law must submit not only contact information, but also answers to some specific questions. These include whether individuals can opt-out of having their information brokered, and how they can do so.

Putting it Into Practice: These rulemaking activities are a reminder that data broker activities are in legislators' minds. The obligations under these laws are for specific types of activities, but reflect a broader trend on concerns with sharing and "selling" of personal information, and are a reminder that companies may want to look at their practices even if not "brokers."

[\[BACK TO TOP\]](#)

Texas has no program in place to check if voters cast ballots in multiple states but is attempting to establish a system of its own in coordination with other states

Dallas Express

December 22, 2023

[dallasexpress.com /state/texas-contacted-states-on-new-election-program/](https://dallasexpress.com/state/texas-contacted-states-on-new-election-program/)

Texas currently has no program in place to check if voters cast ballots in multiple states but is attempting to establish a system of its own in coordination with other states.

The Lone Star State left the nation's only voter crosscheck program, the Electronic Registration Information Center (ERIC), in October after it passed election reform legislation. State officials have since contacted election officials in West Virginia, Ohio, and Georgia to discuss plans to establish a new program, according to documents [obtained](#) through an open records request by The Dallas Morning News.

ERIC was founded in 2012 to prevent voters from casting votes in multiple states, which is called "double voting." It works to remove voters from rolls who moved across state lines or have died.

The Texas secretary of state's office told the DMN it has contacted companies about providing a new election service.

"We are talking with other states about sharing data directly, but we have not signed any MOUs (memorandums of understanding) at this time," agency spokesperson Alicia Pierce told the DMN.

The legislature greenlit this effort through [SB 1070](#), which came into effect in September.

"The bill sets out requirements for a private sector data system with respect to functionality, cost, compliance with state and federal law, and employee background checks and restricts the information that the secretary of state may provide to the system," reads the bill's legislative [summary](#). "The secretary of state must record information related to the system and quarterly submit a report on that information to the legislature."

Texas Secretary of State Jane Nelson [announced](#) her effort to establish a new voter crosscheck program in May. Documents obtained by the DMN purportedly show that the Ohio secretary of state's office contacted Nelson days after the announcement regarding launching an alternative to ERIC. Ohio left the program weeks later.

The Ohio secretary of state then coordinated with West Virginia's office in June on ways to share voting data. This included sharing draft memorandums of a potential program.

The process of establishing a new voter crosscheck program is unlikely to impact the 2024 election. States are prohibited from removing people from voter rolls within 90 days of a federal election per federal election law.

[\[BACK TO TOP\]](#)

Chicago is struggling to house the migrants sent out of state by Texas Gov. Greg Abbott

Esther Y Kang

NPR

December 23, 2023

www.northernpublicradio.org/2023-12-23/chicago-is-struggling-to-house-the-migrants-sent-out-of-state-by-texas-gov-greg-abbott

SCOTT SIMON, HOST:

When Texas Governor Greg Abbott started busing migrants out of his state in the summer of 2022, the border crisis came home to some of the country's largest cities, including Chicago, where now Texas not only sends buses, but also private charter planes with migrants. For Chicago and other cities, it has meant struggling with ways to provide housing for tens of thousands, mostly Venezuelans, who hope to find a new home. Esther Yoon-Ji Kang of member station WBEZ reports.

(SOUNDBITE OF VEHICLE BEEPING)

ESTHER YOON-JI KANG, BYLINE: On a frigid, drizzly day in early December, construction crews were hard at work erecting giant tents on a vacant lot on Chicago's southwest side. There were posters stapled to a wooden fence that enveloped the massive site, a former industrial lot. They read, this land is contaminated, and, save our community. This site was to be a temporary home for thousands of Venezuelan migrants who would live in winterized tents. But the state of Illinois nixed the plan after contaminants were found in the soil. It's been a huge challenge for Chicago Mayor Brandon Johnson, elected back in April.

(SOUNDBITE OF ARCHIVED RECORDING)

BRANDON JOHNSON: It's an international crisis that I inherited.

KANG: For months, Texas sent a daily influx of buses and in December sent a charter plane after Chicago started cracking down on buses for dropping off migrants outside of approved hours or locations. The numbers would reach more than 26,000 in 2023. It's been a struggle as Chicago, along with New York, Denver, Los Angeles and other cities,

has worked to provide shelter and services for the new arrivals. Throughout the summer and fall, thousands lived in some unlikely places, like at O'Hare International Airport and at police stations. Here's Mayor Johnson again.

(SOUNDBITE OF ARCHIVED RECORDING)

JOHNSON: Look, we have people sleeping on floors and outside. Our police districts have been overwhelmed since the very beginning of this mission.

KANG: This mission has cost Chicago hundreds of millions of dollars. The city has since cleared the police stations, but there are now reports of illnesses and even the death of a child at a shelter. Chicago's resources have been stretched thin, along with the patience of many of its residents.

(SOUNDBITE OF ARCHIVED RECORDING)

UNIDENTIFIED PROTESTER #1: We say no.

UNIDENTIFIED PROTESTORS: We say no.

UNIDENTIFIED PROTESTER #1: We say no.

UNIDENTIFIED PROTESTORS: We say no.

KANG: Protests cropped up at sites that were considered for housing migrants, and residents who live in disinvested neighborhoods and feel they've been overlooked have spoken up at contentious city council meetings.

(SOUNDBITE OF ARCHIVED RECORDING)

UNIDENTIFIED PROTESTER #2: Our mayor went to fight for billions of dollars for migrants. Who's going to fight for monies for the Black community?

KANG: Other protesters have included people spouting anti-immigrant sentiments and also long-time undocumented residents wanting the same benefits, like work permits, that were given to Venezuelans by the Biden administration. Johnson, who prides himself on being a coalition builder, has asked for understanding

(SOUNDBITE OF ARCHIVED RECORDING)

JOHNSON: Chicago, just know that as frustrating as this is right now, your brother's is working hard every single day. International policy, local ordinances and everything else in between.

KANG: Over the past few months, he's gotten some offers to help. One neighboring suburb is taking in about 160 migrants for a limited time. Churches have stepped up to provide housing. And the city of St. Louis is hoping to resettle hundreds, if not thousands, of Venezuelans who have work permits. Karlos Ramirez is vice president of Latino outreach for the International Institute of St. Louis. In October, he drove up to Chicago's City Hall to make a pitch for migrants to resettle in his town.

KARLOS RAMIREZ: It could be the potential for a great relationship between both cities.

KANG: Ramirez says St. Louis' population and its workforce have been declining, and bringing migrants from Chicago could be good for everyone.

RAMIREZ: And if the people are going to be in a better place, St. Louis is going to be in a better place and Chicago is going to be a better place, I think everybody wins.

KANG: His group is working with Chicago officials to recruit migrants who have work authorization and to secure as much housing in St. Louis as possible. Meanwhile, both Chicago and Illinois are asking the feds for more help, especially with the Democratic National Convention taking place here in 2024. Officials are looking to get a handle on the migrant crisis before all eyes are on the Windy City.

For NPR News, I'm Esther Yoon-Ji Kang in Chicago. Transcript provided by NPR, Copyright NPR.

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[\[BACK TO TOP\]](#)

Texans can request an absentee ballot on New Year's Day. Here's how

Zaeem Shaikh
Dallas Morning News
December 26, 2023

www.dallasnews.com/news/2023/12/26/texans-can-apply-to-vote-by-mail-starting-new-years-day-heres-what-to-know/

Mail-in absentee ballot materials photographed at the Dallas County Elections Department on Monday, May 18, 2020, in Dallas. (Smiley N. Pool / Staff Photographer)

By the start of 2024, Texans will be able to apply for a ballot by mail to begin the process of casting their vote in the primary election for local, state and national offices.

With the election nearly three months away, here's what to know on whether you're eligible and how to submit an application:

Who is eligible to vote by mail?

First, to be able to register to vote in the Lone Star State, you must be a U.S. citizen, a resident of the county where you submit the application and at least 18 years old on Election Day.

But not everyone is eligible to vote by mail. Texas doesn't allow "no excuse" mail voting. According to the [National Conference of State Legislatures](#), 28 states and D.C. allow the practice, and eight states conduct elections entirely by mail.

Breaking News

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In Texas, according to the secretary of state's office, you must fall under one of these circumstances:

- Be 65 years or older
- Be sick or disabled
- Be out of the county for the duration of the election including early voting (including members of the military, college students and those working overseas)
- Be expected to give birth within three weeks before or after Election Day
- Be confined in jail without having been convicted of a felony

How do I submit my application?

Eligible voters can download an application online from their county election's office or the secretary of state's [website](#). You can either print the form yourself or submit an order [online](#) to have one mailed to your address.

On the application, you're required to provide numbers from some form of ID which can be: your Texas driver's license, your state personal identification number or your election identification certificate number. If you don't have any of those, you must provide the last four digits of your Social Security number.

The last day to request a mail ballot is Feb. 23, though you have to be registered to vote by Feb. 5.

Absentee ballots can be delivered by mail or in person to the early voting clerk in your county. In Dallas, that's the elections office at 1520 Round Table Drive. The secretary of state office has a [list of addresses](#) for each election office in the state.

According to the secretary of state, you have the option of submitting a scanned or faxed copy of the completed application to the clerk, but the original hard copy must be mailed and received by the clerk no later than the fourth business day.

What is the deadline?

Ballots that are not postmarked must be received by the early voting clerk in your county by 7 p.m. on election day. Those that are postmarked have until 5 p.m. the following day.

Any absentee ballot that is hand delivered must be sent by 7 p.m. on election day. Ballots mailed overseas that have an on-time postmark must arrive by 5 p.m. on the fifth day after Election Day — or the next business day if the fifth day falls on a weekend or holiday.

Important dates to know

Jan. 1 — First day to receive your ballot by mail application.

Feb. 5 — Last day to register to vote.

Feb. 20 — Early voting starts.

Feb. 23 — Last day to apply to vote by mail.

March 1 — Early voting ends.

March 5 — Election Day.

[Zaeem Shaikh](#), Staff, Reporter. Zaeem Shaikh is a reporter covering breaking news for The Dallas Morning News. He grew up in Fresno, California, and graduated from Fresno State University in 2022. Before joining The News, he has reported for The Sacramento Bee, CalMatters and the Oregonian.

[\[BACK TO TOP\]](#)

As social media guardrails fade and AI deepfakes go mainstream, experts warn of impact on elections

ALI SWENSON and CHRISTINE FERNANDO

Associated Press

December 26, 2023

www.beaumontenterprise.com/news/politics/article/as-social-media-guardrails-fade-and-ai-deepfakes-18575031.php

NEW YORK (AP) — Nearly three years after rioters stormed the U.S. Capitol, the false election conspiracy theories that drove the violent attack remain prevalent on social media and cable news: suitcases filled with ballots, late-night ballot dumps, dead people voting.

Experts warn it will likely be worse in the coming presidential election contest. The safeguards that attempted to counter the bogus claims the last time are eroding, while the tools and systems that create and spread them are only getting stronger.

Many Americans, egged on by former President Donald Trump, have continued to push the unsupported idea that elections throughout the U.S. can't be trusted. A majority of Republicans (57%) believe Democrat Joe Biden was not legitimately elected president.

Meanwhile, generative artificial intelligence tools have made it far cheaper and easier to spread the kind of misinformation that can mislead voters and potentially influence elections. And social media companies that once invested heavily in correcting the record have shifted their priorities.

"I expect a tsunami of misinformation," said Oren Etzioni, an artificial intelligence expert and professor emeritus at the University of Washington. "I can't prove that. I hope to be proven wrong. But the ingredients are there, and I am completely terrified."

AI DEEPPAKES GO MAINSTREAM

Manipulated images and videos surrounding elections are nothing new, but 2024 will be the first U.S. presidential election in which sophisticated AI tools that can produce convincing fakes in seconds are just a few clicks away.

The fabricated images, videos and audio clips known as deepfakes have started making their way into experimental presidential campaign ads. More sinister versions could easily spread without labels on social media and fool people days before an election, Etzioni said.

"You could see a political candidate like President Biden being rushed to a hospital," he said. "You could see a candidate saying things that he or she never actually said. You could see a run on the banks. You could see bombings and violence that never occurred."

High-tech fakes already have affected elections around the globe, said Larry Norden, senior director of the elections and government program at the Brennan Center for Justice. Just days before Slovakia's recent elections, AI-generated audio recordings impersonated a liberal candidate discussing plans to raise beer prices and rig the election. Fact-checkers scrambled to identify them as false, but they were shared as real across social media regardless.

These tools might also be used to target specific communities and hone misleading messages about voting. That could look like persuasive text messages, false announcements about voting processes shared in different languages on WhatsApp, or bogus websites mocked up to look like official government ones in your area, experts said.

Faced with content that is made to look and sound real, “everything that we’ve been wired to do through evolution is going to come into play to have us believe in the fabrication rather than the actual reality,” said misinformation scholar Kathleen Hall Jamieson, director of the Annenberg Public Policy Center at the University of Pennsylvania.

Republicans and Democrats in Congress and the Federal Election Commission are exploring steps to regulate the technology, but they haven’t finalized any rules or legislation. That’s left states to enact the only restrictions so far on political AI deepfakes.

A handful of states have passed laws requiring deepfakes to be labeled or banning those that misrepresent candidates. Some social media companies, including YouTube and Meta, which owns Facebook and Instagram, have introduced AI labeling policies. It remains to be seen whether they will be able to consistently catch violators.

SOCIAL MEDIA GUARDRAILS FADE

It was just over a year ago that Elon Musk bought Twitter and began firing its executives, dismantling some of its core features and reshaping the social media platform into what’s now known as X.

Since then, he has upended its verification system, leaving public officials vulnerable to impersonators. He has gutted the teams that once fought misinformation on the platform, leaving the community of users to moderate itself. And he has restored the accounts of conspiracy theorists and extremists who were previously banned.

The changes have been applauded by many conservatives who say Twitter’s previous moderation attempts amounted to censorship of their views. But pro-democracy advocates argue the takeover has shifted what once was a flawed but useful resource for news and election information into a largely unregulated echo chamber that amplifies hate speech and misinformation.

Twitter used to be one of the “most responsible” platforms, showing a willingness to test features that might reduce misinformation even at the expense of engagement, said Jesse Lehrich, co-founder of Accountable Tech, a nonprofit watchdog group.

“Obviously now they’re on the exact other end of the spectrum,” he said, adding that he believes the company’s changes have given other platforms cover to relax their own

policies. X didn't answer emailed questions from The Associated Press, only sending an automated response.

In the run-up to 2024, X, Meta and YouTube have together removed 17 policies that protected against hate and misinformation, according to a [report](#) from Free Press, a nonprofit that advocates for civil rights in tech and media.

In June, YouTube announced that while it would still regulate content that misleads about current or upcoming elections, it would stop removing content that falsely claims the 2020 election or other previous U.S. elections were marred by “widespread fraud, errors or glitches.” The platform said the policy was an attempt to protect the ability to “openly debate political ideas, even those that are controversial or based on disproven assumptions.”

Lehrich said even if tech companies want to steer clear of removing misleading content, “there are plenty of content-neutral ways” platforms can reduce the spread of disinformation, from labeling months-old articles to making it more difficult to share content without reviewing it first.

X, Meta and YouTube also have laid off thousands of employees and contractors since 2020, some of whom have included content moderators.

The shrinking of such teams, which many blame on political pressure, “sets the stage for things to be worse in 2024 than in 2020,” said Kate Starbird, a misinformation expert at the University of Washington.

Meta [explains](#) on its website that it has some 40,000 people devoted to safety and security and that it maintains “the largest independent fact-checking network of any platform.” It also frequently takes down networks of fake social media accounts that aim to sow discord and distrust.

“No tech company does more or invests more to protect elections online than Meta – not just during election periods but at all times,” the posting says.

Ivy Choi, a YouTube spokesperson, said the platform is “heavily invested” in connecting people to high-quality content on YouTube, [including for elections](#). She pointed to the platform's recommendation and information panels, which provide users with reliable election news, and said the platform removes content that misleads voters on how to vote or encourages interference in the democratic process.

The rise of TikTok and other, less regulated platforms such as Telegram, Truth Social and Gab, also has created more information silos online where baseless claims can spread. Some apps that are particularly popular among communities of color and immigrants,

such as WhatsApp and WeChat, rely on private chats, making it hard for outside groups to see the misinformation that may spread.

“I’m worried that in 2024, we’re going to see similar recycled, ingrained false narratives but more sophisticated tactics,” said Roberta Braga, founder and executive director of the Digital Democracy Institute of the Americas. “But on the positive side, I am hopeful there is more social resilience to those things.”

THE TRUMP FACTOR

Trump’s front-runner status in the Republican presidential primary is top of mind for misinformation researchers who worry that it will exacerbate election misinformation and potentially lead to election vigilantism or violence.

The former president still falsely claims to have won the 2020 election.

“Donald Trump has clearly embraced and fanned the flames of false claims about election fraud in the past,” Starbird said. “We can expect that he may continue to use that to motivate his base.”

Without evidence, Trump has already primed his supporters to expect fraud in the 2024 election, urging them to intervene to “guard the vote” to prevent vote rigging in diverse Democratic cities. Trump has a long history of suggesting elections are rigged if he doesn’t win and did so before voting in 2016 and 2020.

That continued wearing away of voter trust in democracy can lead to violence, said Bret Schafer, a senior fellow at the nonpartisan Alliance for Securing Democracy, which tracks misinformation.

“If people don’t ultimately trust information related to an election, democracy just stops working,” he said. “If a misinformation or disinformation campaign is effective enough that a large enough percentage of the American population does not believe that the results reflect what actually happened, then Jan. 6 will probably look like a warm-up act.”

ELECTION OFFICIALS RESPOND

Election officials have spent the years since 2020 preparing for the expected resurgence of election denial narratives. They’ve dispatched teams to explain voting processes, hired outside groups to monitor misinformation as it emerges and beefed up physical protections at vote-counting centers.

In Colorado, Secretary of State Jena Griswold said informative paid social media and TV campaigns that humanize election workers have helped inoculate voters against misinformation.

“This is an uphill battle, but we have to be proactive,” she said. “Misinformation is one of the biggest threats to American democracy we see today.”

Minnesota Secretary of State Steve Simon’s office is spearheading #TrustedInfo2024, a new online public education effort by the National Association of Secretaries of State to promote election officials as a trusted source of election information in 2024.

His office also is planning meetings with county and city election officials and will update a “Fact and Fiction” information page on its website as false claims emerge. A new law in Minnesota will [protect election workers](#) from threats and harassment, bar people from knowingly distributing misinformation ahead of elections and criminalize people who non-consensually share deepfake images to hurt a political candidate or influence an election.

“We hope for the best but plan for the worst through these layers of protections,” Simon said.

In a rural Wisconsin county north of Green Bay, Oconto County Clerk Kim Pytleski has traveled the region giving talks and presentations to small groups about voting and elections to boost voters’ trust. The county also offers equipment tests in public so residents can observe the process.

“Being able to talk directly with your elections officials makes all the difference,” she said. “Being able to see that there are real people behind these processes who are committed to their jobs and want to do good work helps people understand we are here to serve them.”

[\[BACK TO TOP\]](#)

January election in North Texas could foreshadow GOP primary

Philip Jankowski
Dallas Morning News
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www.dallasnews.com/news/politics/2023/12/27/how-a-january-election-in-rural-north-texas-could-portend-2024s-republican-primary/

AUSTIN — A special election in a ruby red, rural North Texas House district might portend what voters could see in March’s Republican primary.

The Jan. 30 run-off election for House District 2 will offer the first glimpse into how party dynamics in the GOP might play out at the ballot box in 2024. The election lands smack-dab in the middle of primary campaign season and will be closely watched by party operatives, political experts said.

Related: [Race to replace GOP Rep. Bryan Slaton headed toward runoff election](#)

“This is a microcosm of a war in the GOP right now,” said Brandon Rottinghaus, a University of Houston political scientist who specializes in Texas politics. “It is the old guard versus an insurgence, and that is a classic GOP primary matchup.”

The special election is for a seat in the Texas House that has remained empty since the House [expelled former Rep. Bryan Slaton from office](#) on May 8. A House investigating committee accused Slaton of giving alcohol to a 19-year-old legislative staffer and having sex with her.

Several Republicans ran for the seat and none managed to win a decisive victory [in November’s election](#). The top two candidates remaining are Brent Money, a Greenville attorney, and former Van ISD school board trustee Jill Dutton, who hails from Ben Wheeler. Money received 31.77% of the vote to Dutton’s 25.25%.

Candidates’ positions

On policy, little separates the two GOP candidates. Both are for Gov. Greg Abbott’s school voucher plan, both have been endorsed by organizations opposed to abortion, both listed strengthening border security as a top campaign issue and both have said they would seek to lower property taxes.

“Ideologically there isn’t much daylight between them,” said Mark P. Jones, a political science professor at Rice University.

Related: [North Texas voters will elect new lawmaker in special election replacing Rep. Bryan Slaton](#)

But their financial backers are key players in a growing schism between wings of the Republican Party of Texas.

The race centers around a largely rural district that encompasses Hopkins, Hunt and Van Zandt counties. One candidate has big name endorsements and the financial backing of a controversial political action committee. The other is backed by established Republican organizations and the man once seen as the face of the state’s Republican Party.

Jan. 2 is the deadline to register for the run-off election. Early voting begins on Jan. 22.

Slaton was backed by Defend Texas Liberty, an organization funded by West Texas oil tycoons who have helped push once-fringe policies into the mainstream of Republican politics. But the organization is facing its first test since the Texas Tribune revealed Defend Texas Liberty's former president hosted an avowed neo-Nazi for hours at its headquarters in Fort Worth.

Related: [Texas Lt. Gov. Patrick seeks to deflate Nick Fuentes flap by buying \\$3M of Israeli bonds](#)

Defend Texas Liberty gave Money at least \$35,000, according to campaign finance reports. The organization is Money's top contributor.

Meanwhile, Dutton has taken more than \$280,000 from two conservative political organizations — Texans for Lawsuit Reform and Associated Republicans of Texas, campaign finance reports show.

"We're seeing the most conservative wing of the Republican party behind one candidate, Money, and the conservative but more pragmatic wings behind another candidate, Jill Dutton," Jones said.

Big name endorsements

Dutton appears to have more support on the ground, Jones said, while Money sports big name endorsements, including Sen. Ted Cruz, Gov. Greg Abbott, Attorney General Ken Paxton and the head of the Republican Party of Texas.

Related: [House expels North Texas lawmaker for alleged sexual misconduct, obstructing investigation](#)

Dutton, meanwhile, has been endorsed by former Gov. Rick Perry as well as several members of the House and local elected officials.

Jones said Money's association with Defend Texas Liberty could ding him in the election. The controversy surrounding the organization might sway more moderate Republicans or the few Democrats in the district toward Dutton, despite her conservative bonafides.

"Having the cloud over his head may hurt him with voters who see both Money and Dutton as too conservative," Jones said.

It cost Money the endorsement of one local politician, Quinlan's Mayor Jacky Goleman, who announced he was backing Dutton because of his affiliations with Defend Texas Liberty.

In an interview, Dutton said Defend Texas Liberty's donations to Money were notable because he accepted them after the revelations that its former president had associations with neo-Nazis. She said the organization circulated untrue mailers about her in the district.

A spokesperson for Money said he was not available for an interview. An emailed request seeking comment on his affiliation with Defend Texas Liberty was not answered.

Texans for Lawsuit Reform has also faced opposition. Leading up to Paxton's impeachment trial, the attorney general appeared [poised to make a defense](#) that the articles of impeachment were the result of an effort from the organization, which [backed a GOP challenger to Paxton](#) in 2022.

The winning candidate will likely need to rally their geographic base of support in order to win, Jones said. He noted that big name endorsements play less of a role in rural districts, where voters tend to back the candidates closest to home.

In larger rural districts, "you do tend to get this regional push that goes beyond ideologies," he said. "It is better to have a favored son or daughter representing it."

The University of Houston's Rottinghaus said that the election will have a low turnout, topping out at about 10,000 voters. In November's election, turnout was about 22% in the three county district, with roughly 28,000 votes cast.

Money's base of support in Hunt County might not turn out as forcefully as they did in November's election. That election had multiple local bond initiatives on the ballot for Greenville ISD and the city of Greenville. There, Money built a sizable lead over Dutton.

Local bond proposals were also on the ballot in Van Zandt County, where Dutton received support, but was narrowly beaten by Money.

The wild card is Hopkins County, which widely supported the third-place candidate Heath Hyde. Hyde has not publicly endorsed either candidate.

Dutton said she has focused on making inroads in Hopkins County and has been warmly received.

"It is going to take every vote," Dutton said. "It is going to be a low turnout election. I am just focused on GOTV (get out the vote). That is how you win elections."

[\[BACK TO TOP\]](#)

Top U.S. officials to visit Mexico for border talks

Anna Wiernicki
NexStar
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[www.kxan.com /news/washington-dc/top-u-s-officials-to-visit-mexico-for-border-talks/](https://www.kxan.com/news/washington-dc/top-u-s-officials-to-visit-mexico-for-border-talks/)

WASHINGTON (NEXSTAR) — Congressman Henry Cuellar (D-Texas) says the situation at the border is getting worse.

“Migrants are jumping on the trains so they can get to the U.S. faster,” Cuellar said.

On Sunday, to mitigate the sudden surge of migrants, Customs and Border Protection shut down operations at the international railway crossing bridges in Eagle Pass and El Paso. Cuellar says that hurts the economy.

“Especially in Eagle Pass,” Cuellar said. “There are 10 to 14 trains a day. Depending on them you can go from 5 to 10 million dollars per train. That’s a lot of business that we are losing.”

Republican senators are demanding the Biden administration re-open the rail ports of entry immediately.

In a letter to Homeland Security Secretary Alejandro Mayorkas, Republicans argued “American producers and consumers will suffer daily as long as these entry points are closed.”

The White House says President Biden and Mexico’s President Andres Manuel Lopez Obrador are working together to address the unprecedented surge of migrants arriving at the U.S. Mexico border.

White House National Security Council Spokesman John Kirby says President Biden spoke on the phone Thursday with President Lopez Obrador.

“The two leaders agreed additional enforcement action is urgently needed so that key ports of entry can be reopened across our shared border,” Kirby said.

Kirby says Secretary of State Antony Blinken and Homeland Security Secretary Alejandro Mayorkas will travel to Mexico to meet with President Lopez Obrador in the coming days to come up with a plan.

“About what can be done inside Mexico to slow that process down,” Kirby said. “And there are some things like checkpoints on rail lines and on highways and that kind of thing.”

But Kirby says this is only a band aid. He says any long-term solution is up to Congress to pass when they return in January.

[\[BACK TO TOP\]](#)

[www.tpr.org /2023-12-24/legal-challenges-to-the-voting-rights-act-continue-into-the-new-year](http://www.tpr.org/2023-12-24/legal-challenges-to-the-voting-rights-act-continue-into-the-new-year)

Legal challenges to the Voting Rights Act continue into the new year

Hansi Lo Wang 6-7 minutes 12/24/2023

Published December 24, 2023 at 7:35 AM CST

AYESHA RASCOE, HOST:

There's been a lot of activity around the landmark Voting Rights Act, with the Supreme Court weighing in and several other legal fights being waged in lower courts. What's most at stake is Section 2 of the law, which bans racial discrimination in the elections process. Recently, it's been used to challenge maps of congressional districts drawn up by Republican state legislatures that allegedly dilute the power of Black voters. In some cases, Republicans are adopting novel legal arguments that civil rights groups warn could undermine the power of the law. Joining us to break all of this down is NPR's voting rights correspondent, Hansi Lo Wang. Hi, Hansi.

HANSI LO WANG, BYLINE: Hi, Ayesha.

RASCOE: Let's start with the Supreme Court decision in June that struck down a redistricting map created by the Alabama State Legislature. A number of legal experts thought this was surprising. Like, why did they think that?

WANG: Well, because this was coming from a Supreme Court with a conservative majority that for the past decade has been weakening the Voting Rights Act's protections for voters of color. You know, back in 2013, we saw conservative Chief Justice John Roberts write a major decision that got rid of a key part of the Voting Rights Act. But in this Alabama case, Roberts joined conservative Justice Brett Kavanaugh and the court's three liberal justices, and they found that Alabama's Republican-controlled legislature approved a map that likely diluted the collective power of Black voters in the state. Republican state officials tried to raise an argument that goes against decades of precedent. They argued that race should not be taken into account when voting maps are drawn, unless there's evidence of intentional discrimination. But that court majority disagreed and kept in place Section 2 protections in redistricting.

RASCOE: So that's at the highest level. But you've had your eye on the lower court decisions also. So what's been going on there?

WANG: Well, in voting rights cases in Louisiana and Georgia, lower federal courts have also ruled that maps approved by Republican-controlled legislatures are not in line with Section 2 because they didn't draw enough districts where Black voters have a realistic opportunity to like their preferred candidates. And by the way, because of how racially polarized voting is in these states, those districts are likely to elect Democrats. And what we've seen is Republican officials appealing these rulings. And their most recent strategy is citing this extraordinary voting rights case out of Arkansas. A federal judge, Lee Rudofsky, a Trump appointee, threw out this lawsuit over Arkansas' state legislative map because it was filed by private groups. This judge's ruling said the words of Section 2 of the Voting Rights Act say that the head of the Justice Department can bring lawsuits, but the words do not explicitly say that private groups can sue.

RASCOE: And why is this question of who can challenge these maps so important?

WANG: Because the reality is that the majority of lawsuits that are seeking to get Section 2 of the Voting Rights Act enforced, including that Alabama case that the Supreme Court ruled on - they are brought not by the Justice Department but by private groups and individuals. You know, very often, the Justice Department just does not have the resources or, depending on the presidential administration, may not have the support to sue. Here's Barry Jefferson, the president of the Arkansas State Conference of the NAACP, which is the leading private group that brought this Arkansas lawsuit.

BARRY JEFFERSON: This issue is so important 'cause for decades, individuals had a right to stand up and say, hey, this is wrong. You can take it to the court of law. And it was stopped because of a judge.

RASCOE: So how big of a deal is this ruling by the federal judge in Arkansas?

WANG: Well, the bigger deal is that after civil rights groups appealed the judge's ruling, a panel of judges on the 8th U.S. Circuit Court of Appeals agreed with the ruling. And now Republican state officials in Louisiana, Georgia and North Dakota have been citing this 8th Circuit panel's ruling to try to keep in place maps that lower courts have found discriminate against voters of color. So this is now the latest front in the fight over this landmark law from the civil rights movement.

And I should note two of the Supreme Court's conservative justices who voted for keeping Alabama's now struck-down map - I'm talking about Justices Neil Gorsuch and Clarence Thomas - they have signaled they're open to hearing a case that gets at this issue, whether private groups can sue under Section 2 or if only the head of the Justice Department can.

RASCOE: That's NPR's Hansi Lo Wang. Thank you so much for joining us.

WANG: You're very welcome. Transcript provided by NPR, Copyright NPR.

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[\[BACK TO TOP\]](#)

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From: Alicia Pierce
Sent: Thursday, November 2, 2023 11:36 AM
To: Alicia Pierce
Subject: Secretary Nelson in the News



**Texas Secretary of State
Morning News Clips
November 2, 2023**

[Heavy Hitters, Political Groups Wade into Lone Texas House Special Election](#) *The Texan* November 1, 2023

[Republicans claw back control of elections in key states](#) *Politico* November 1, 2023

[Hearing to determine if Trump can be barred from office reaches far back in history for answers](#) *Associated Press* November 1, 2023

[With time running out, House punts on taking action on school vouchers](#) *Texas Tribune* November 1, 2023

[Harrison County seeing 4.5 percent turnout in November elections](#) *Marshall News Messenger* November 1, 2023

[Texas proposition votes would spend billions in tax money](#) *Houston Chronicle* November 1, 2023

[After a Cascade of Republican States Left ERIC, What Comes Next?](#) *Democracy Docket* November 2, 2023

[Most Mexicans feel unsafe, especially in drug cartel areas, survey says](#) *Border Report* November 1, 2023

Heavy Hitters, Political Groups Wade into Lone Texas House Special Election

Brad Johnson

The Texan

November 1, 2023

[thetexan.news /elections/2023/heavy-hitters-political-groups-wade-into-lone-texas-house-special-election/article_65f69292-7820-11ee-bb9d-63bd67e0809c.html](https://thetexan.news/elections/2023/heavy-hitters-political-groups-wade-into-lone-texas-house-special-election/article_65f69292-7820-11ee-bb9d-63bd67e0809c.html)

A full-on proxy war is unfolding in East Texas for the open House seat vacated by [expelled](#) member Bryan Slaton (R-Royse City), with massive political figures and large consulting firms throwing their weight behind the two frontrunners.

Voters will cast ballots in the House District (HD) 2 race next Tuesday to decide who will fill the empty seat, though it's likely that a runoff will be triggered between the top two vote-getters.

Slaton was ousted after it was revealed he had a sexual relationship with his intern.

The two frontrunners in the [race](#) are Jill Dutton, former head of the Van Zandt County Republican Women, and Brent Money, a former Greenville city councilman — both of whom have fundraised well into the six-figures. Other candidates include Heath Hyde, Doug Roszhart, Krista Schild, and the lone Democrat Kristen Washington.

On Monday, Dutton and Money rolled out a pair of significant new endorsements — former Gov. Rick Perry for Dutton and Texas GOP Chair Matt Rinaldi for Money.

That comes on top of Money's other [notable endorsements](#), including Sen. Ted Cruz (R-TX), Attorney General Ken Paxton, various legislators, and Texas Right to Life, among others. Both Cruz and Paxton use [Axiom Strategies](#), the Kansas City-based firm run by Jeff Roe, which has a sizeable Texas footprint. Axiom represents a growing number of primary challengers against Texas House incumbents.

Dutton, meanwhile, has [support](#) from Congressman Lance Gooden (R-TX-05), a group of leadership-aligned House Republicans, Texans for Lawsuit Reform (TLR) PAC, and Texas Alliance for Life.

TLR was accused by Paxton's defense team of orchestrating the impeachment with the House, a claim the group has denied. TLR backed one of Paxton's opponents, Eva Guzman, in the 2022 primary.

Money has said he would've voted against impeachment while Dutton [said](#) that she "respect[s] the process in both the House and the Senate," but added that she did not watch the hearing and "doesn't have all the information."

Dutton's consulting firm is [Murphy Nasica](#), the long-existent Texas firm started by Craig Murphy, which also consults for Speaker Dade Phelan (R-Beaumont).

Notable endorsements for other candidates include the Texas Farm Bureau for Hyde and state Rep. Vikki Goodwin (D-Austin) for Washington.

In recent days, Donald Trump has become an issue in the race.

The Dutton campaign ran a [digital ad](#) attacking Money for previous statements made criticizing the former president for his COVID-19 policies. Last year, Money attributed the 2020 loss to those policies and said it should preclude Trump from being the GOP nominee in 2024.

The ad also shows a pre-2016 election interview on The Blaze in which Money called Trump "a creep" in relation to the [Hollywood Access tapes](#) published before the election.

Money responded on Facebook, saying, "This was from before [Trump] ever took office. Since then, President Trump is in many ways the most conservative President we've ever had, proving me wrong in my evaluation of him prior to his election."

"In 2020, I donated to his campaign and voted for him. I expect that he will be the nominee in 2024, and I will gladly support him again."

On top of that, extra spice was tossed into the HD 2 dynamic when Defend Texas Liberty (DTL) — the embattled conservative group in the [throes of controversy](#) after right-wing gadfly and antisemitic commentator Nick Fuentes was photographed going into its Fort Worth office — waded into the race against Dutton.

A [mailpiece](#) paid for by DTL and sent to HD 2 households equated Dutton with Democrat Beto O'Rourke, saying that two fundraiser hosts for Dutton's campaign also donated to O'Rourke's gubernatorial bid against Gov. Greg Abbott — a claim that was made without details.

DTL supported Abbott's primary opponent Don Huffines last year and dumped millions of dollars into the unsuccessful challenge, but then spent lots of money [against](#) O'Rourke in the general election.

The mailer received a response from Dutton's camp when Matt Brownfield of Murphy Nasica [rejoined](#), "The disgraced Defend Texas Liberty is now attacking conservative Jill

Dutton in the HD 2 Special Election. This PAC never condemned former Rep. Bryan Slaton after he was expelled from the Texas House unanimously for seducing his 19[-year-old] intern while she was intoxicated.”

Slaton was backed substantially by DTL until his scandal.

In the latest finance reports, filed Tuesday, Money reported \$35,000 in contributions from DTL — over half of his total raised during the reporting period.

Dutton reported \$234,000 raised, most of which came from TLR and the Associated Republicans of Texas, which has made the HD 2 race a priority.

While those two are the focal points of the race, Hyde has drawn some opposition too. The American Federation for Children, a pro-school choice group, took aim at Hyde over the issue after he campaigned as the one anti-voucher candidate in the race.

Both Dutton and Money support the governor’s preferred [mechanism](#) of education savings accounts. Money told The Texan back in July he wants to see them apply universal eligibility, while Dutton said she believes the program needs some kind of hold-harmless or bracketing provision for rural districts.

Hyde is against the concept in its entirety.

The candidates have [varying stances](#) on policy that they’ve campaigned on throughout the race.

The wildcard to watch in the race is Washington, the Democratic candidate, who, while it may be unlikely, could play spoiler in setting up a runoff.

The district is heavily red, rated R-82% in The Texan’s [Texas Partisan Index](#). By coalescing around one candidate while the GOP votes are split between the other five, the Democrats in HD 2 are hoping they can secure one of the two runoff spots.

Early voting ends on Friday, November 3 and Election Day is Tuesday, November 7.

[\[BACK TO TOP\]](#)

Republicans claw back control of elections in key states

The changes differ from prior efforts by focusing on offices or agencies that have direct oversight over actual elections.

By [ZACH MONTELLARO](#)
Politico

November 1, 2023

<https://www.politico.com/news/2023/11/01/republicans-elections-key-states-2024-00124734>

Republican officials in key battleground states are moving to assert more control over elections ahead of 2024 — efforts that could disrupt preparations already underway for the presidential contest.

Unlike prior pushes that have focused on poll access and voting requirements, the current focus is on offices or agencies that have oversight of actual elections and that tend to operate in obscurity.

Recently, Republican lawmakers have:

- Tried to oust Wisconsin's elections chief after years of empowering baseless conspiracies about the 2020 election.
- Remade election boards in North Carolina in a way that could increase stalemates and imperil expansive access to early voting.
- Dismantled the election office in Texas' largest county after a series of problems there.

Election watchdog groups warn that the moves threaten to further tear down public confidence in a system that has been relentlessly attacked since 2020.

The efforts come as former President Donald Trump, the likely GOP presidential nominee, continues to refuse to accept his 2020 loss — and now faces multiple legal charges over his effort to overturn it. In the aftermath of the 2020 elections, election officials across the country were overwhelmed, grappling with spurious so-called "audits" of the vote that were rooted in conspiracy theories and dealing with targeted harassment campaigns. Some election officials see the latest efforts as a continuation of that.

"I do think there is a trend," said Meagan Wolfe, the administrator of the Wisconsin Elections Commission that Republican lawmakers are trying to fire.

There are "political people," she said in an interview, who "want to try to get rid of people that are going to stand strong against partisan pressures. That's certainly what I'm experiencing."

Republicans remake local elections offices in North Carolina and Texas

The most direct structural changes Republicans have made are to local elections offices in North Carolina and Texas.

Those changes have targeted offices on the county level where elections are run and where officials are responsible for things like registering voters, running polling places and actually counting votes.

In North Carolina, Republicans changed the structure of state and local election boards in ways that would give more power to the legislature and increase the likelihood of deadlock on issues such as whether a county should expand early voting

Historically, the governor's party has had a 3-2 majority on the state board of elections and local county boards. The GOP supermajorities in the legislature passed a law last month, overriding Democratic Gov. Roy Cooper's veto, to make the boards evenly split.

Republicans say the law will promote [bipartisan consensus in election decisions](#). But evenly divided boards increase the chances of stalemates, which could mean defaulting to statutory minimums on key issues. Should, for instance, a local board deadlock on early voting locations or timing, counties [could default to just one early voting site](#).

"The deadlocks that will be created on these new boards of elections at the state and local levels likely will reduce early voting and create longer lines at the polls," Cooper said in [a statement announcing a lawsuit](#) that argued the law illegally usurped executive authority. (Senate President Phil Berger's office did not make him available for an interview, and Speaker Tim Moore's office did not respond.)

North Carolina voters in 2018 overwhelmingly [rejected a proposal](#) that would have made similar changes, and the [state Supreme Court ruled that year](#) that a similar attempt to overhaul the state board was illegal. But the court had a Democratic majority then and now has a Republican one.

Texas Republicans, meanwhile, have targeted local election administration in Harris County — the state's largest county and a blue-leaning one that is home to Houston — by passing a pair of laws [applying exclusively to it](#).

One law transferred election duties from a full-time election administrator — whose office was created in 2020 — to the county clerk and tax assessor-collector. The other law allowed the secretary of state's office to directly take over elections under certain circumstances.

Republicans in the state said the laws were necessary because voters had lost faith in Harris County's ability to run elections. Harris County challenged the law eliminating the election office and [won in a lower court](#), but the state Supreme Court [allowed the law to go into effect](#) ahead of an appeal.

That set up those two other offices — which are both currently held by elected Democrats — to run this year's municipal elections, in which Houston's next mayor will be elected, [with little time to prepare](#).

Wisconsin Republicans target state elections chief

In Wisconsin, Republican lawmakers' efforts have been less focused on structural changes and more on removing a specific individual.

Specifically, they have targeted Wolfe by spreading baseless conspiracy theories about the 2020 election being stolen. Some lawmakers also took issue with how the

commission handled voting during the pandemic — including how absentee ballots were sent to nursing homes — which Wolfe implemented after the bipartisan elections board’s approval.

“Three years after an election, after multiple audits, examinations, recounts, litigation, I’m not sure why we still find ourselves in this moment,” Wolfe said.

The attempts to remove Wolfe have been layered in complicated procedural fights.

Wolfe is currently serving in a “holdover” capacity after [Democrats on the state election commission abstained](#) from formally putting her up for another term, fearful that state Senate Republicans would reject her.

Republicans in the Senate [called a vote on Wolfe anyway](#) and in a party line result declared her removed from the job — although they later admitted in court [it was a “symbolic” vote](#). The state Senate president also sent a letter to the Assembly speaker, a fellow Republican, [urging him to impeach Wolfe](#).

Last week, [a judge issued a temporary injunction](#) affirming that Wolfe is lawfully serving as a holdover and said Republicans cannot, for now, remove her. (The office of State House Speaker Robin Vos, a Republican, did not respond to a request for comment, and GOP Senate President Chris Kapenga’s office did not make him available.)

Elections officials are worried about the impact of the changes — and the disruption to 2024 preparations

The continued changes threaten to disrupt preparations for the 2024 elections, local officials said, and they worry about what might come next.

“What is that going to look like when we go into next year, and we’re bringing things before the boards?” asked Sara Lavere, the elections director for Brunswick County and the president of the North Carolina Association of Directors of Elections. “And what if we can’t get a majority vote on something because it’s split by party lines?”

Running even the most routine election requires months of planning, work that often takes place out of mind for voters and lawmakers. Presidential elections are even more complex. With primaries rapidly approaching, the work of election offices is well underway, and officials and voting rights advocates say they need certainty now about election rules.

“Gridlock is something that creates uncertainty and delay within a board of elections that often has to move quite quickly to make sure that elections are administered safely and securely,” said Hilary Harris Klein, the senior counsel for voting rights at the liberal-leaning Southern Coalition for Social Justice.

In Texas, election administrators [in the state warned Votebeat](#), an elections-focused newsroom, that the changes could disrupt 2024 planning.

In Wisconsin, Wolfe said “planning for 2024” had been made “very difficult.” She said that there has been a “destabilizing effect that it has on us, my staff, and election administrators at the local level, because they don’t know what next year is going to look like.”

And some local officials fear that the fight around Wolfe’s role could trickle down to efforts to target their offices too. That, combined with the still-present harassment and threats that officials across the country have faced since the 2020 election, have some election officials worried the environment around next year’s contest will only get worse.

“It’s an attempt to bully and intimidate the election commission heading into 2024,” said Dane County Clerk Scott McDonell, a Democrat. “It’s part of an effort to kind of call our elections into question.”

[\[BACK TO TOP\]](#)

Hearing to determine if Trump can be barred from office reaches far back in history for answers

NICHOLAS RICCARDI

Associated Press

November 1, 2023

www.everythinglubbock.com/news/latest/ap-trial-to-determine-if-trump-can-be-barred-from-offices-reaches-far-back-in-history-for-answers/

DENVER (AP) — The effort to ban former President Donald Trump from the ballot under the Constitution’s “insurrection clause” turned to distant history on Wednesday, when a law professor testified about how the post-Civil War provision was indeed intended to apply to presidential candidates.

Gerard Magliocca, of Indiana University, said there was scant scholarship on Section Three of the 14th Amendment when he began researching it in late 2020. He testified that he uncovered evidence in 150-year-old court rulings, congressional testimony and presidential executive orders that it applied to presidents and to those who simply encouraged an insurrection rather than physically participated in one.

Magliocca didn’t mention Trump by name, but the plaintiffs in the case have argued that Colorado must ban him from the ballot because his role in the Jan. 6, 2021, assault on the U.S. Capitol, which was intended to halt Congress’ certification of Joe Biden’s win and keep Trump in power, falls under the provision. The section originally was designed to prevent former Confederates from returning to their old federal and state jobs and taking over the government.

“It was not intended as punishment,” Magliocca said of the ban. “A number of senators discussed the fact that this was simply adding another qualification to office.”

Trump's attorneys on Wednesday moved for an immediate ruling dismissing the case because they said the plaintiffs had not proved that Trump "incited" the Jan. 6 riot, saying all his actions were legal speech. District Court Judge Sarah B. Wallace denied the motion, noting that many of the legal questions raised during the hearing have never been addressed by a court before and that she'll rule on them later.

Trump's attorneys have condemned the lawsuit as "anti-democratic" and warned that using an obscure provision to disqualify the Republican front-runner would be antithetical to the traditions of the world's oldest democracy. On Tuesday night, Trump slammed the Colorado proceedings in a video posted to his social media site, Truth Social.

"A fake trial is currently taking place to try and illegally remove my name from the ballot," Trump said.

In a reference to President Joe Biden, he added: "If crooked Joe and the Democrats get away with removing my name from the ballot, then there will never be a free election in America again. We will have become a dictatorship where your president is chosen for you. You will no longer have a vote, or certainly won't have a meaningful vote."

The Colorado lawsuit and a parallel case being heard Thursday by the Minnesota Supreme Court were organized by two separate liberal organizations, and the Trump campaign has alleged they're plots by Democrats to short-circuit the 2024 election.

It's likely the U.S. Supreme Court will have the final word on the issue. The nation's highest court has never ruled on Section Three, which was almost exclusively used during between 1868 and 1872, when Congress granted amnesty to many former Confederates who had previously been barred by it.

That section bars anyone from Congress, the military, and federal and state offices if they previously took an oath to support the Constitution and "have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof." It does not specifically name the office of president, but instead reads "elector of president and vice president."

Trump's attorneys began putting on their case Wednesday afternoon, calling former administration officials Kash Patel and Katrina Pierson to testify that Trump had told them he wanted as many as 10,000 national guard ready to deal with any violence on Jan. 6. The troops were never mobilized and that request is not in the timeline of that day issued by the Department of Defense. The plaintiff's attorneys noted that Pierson told the congressional Jan. 6 committee that one main concern was the safety of pro-Trump protesters, not the capitol.

On Tuesday, a legal expert testified for the plaintiffs that Trump could have mobilized federal resources to aid the Capitol in the hours after the protest turned violent. That followed nearly two days of testimony about the Jan. 6 riot and Trump's relationship with right-wing extremists.

But Wednesday got to what makes the challenge against Trump's ability to run for office novel. The case raises issues that have rarely, if ever, been aired in courtrooms before the Jan. 6 attack: Does Congress need to create a mechanism to implement the ban? Does it apply to the presidency, especially since an earlier draft specified that office, but then it was removed? What constitutes an "insurrection" under its definition?

There's been an explosion of legal scholarship in recent months trying to figure that out. Going through dictionaries and court rulings from the mid-19th-century, Magliocca contended that the ban was implemented even without any congressional procedure, that senators noted it applied to the president and that the definition of an insurrection was simply a large-scale effort to impede the execution of laws.

Critics have warned that, if the provision is used to bar Trump, that could open the door to other, more conventional politicians getting banned for activities such as supporting protests against police brutality or other forms of civil disobedience.

Trump's team is scheduled to call their own law professor to argue that the provision doesn't apply to him.

Legal scholars believe the measure was cited just once in the 20th century, as justification for Congress not seating an anti-war socialist elected after World War I. The group behind the Colorado litigation, Citizens for Responsibility and Ethics in Washington, successfully used it to bar a rural county commissioner in New Mexico from office after he was convicted in federal court of a misdemeanor for entering the Capitol grounds during the attack.

The other liberal group behind the Minnesota challenge cited the Section Three provision in challenging the candidacies of Republican Reps. Marjorie Taylor-Greene of Georgia and Madison Cawthorn of North Carolina in 2022. The case against Taylor-Greene failed; Cawthorn's became moot after he lost his primary.

[\[BACK TO TOP\]](#)

With time running out, House punts on taking action on school vouchers

Zach Despart
Texas Tribune
November 1, 2023

[www.texastribune.org /2023/11/01/texas-house-dade-phelan-school-vouchers-greg-abbott/](http://www.texastribune.org/2023/11/01/texas-house-dade-phelan-school-vouchers-greg-abbott/)

3-4 minutes | 11/1/2023

Hours after Gov. [Greg Abbott](#) said he believed the Legislature could pass a school vouchers bill before the end of the special legislative session, the House all but killed any deal.

The House met briefly Wednesday evening and recessed likely until Monday or Tuesday, pending the Senate's approval of bills related to border security.

The special session ends Tuesday and the House has not so much as considered a voucher bill in committee, an early step in the lawmaking process.

At a news conference at the governor's mansion Wednesday morning, Abbott said "we are on track to ensure there will not be another special session" and referenced a "bill that will be coming out of the House later on today."

Lt. Gov. [Dan Patrick](#) signaled his own optimism, saying in an afternoon statement that there was still time to pass a vouchers bill, but only if the House amended legislation already passed by the Senate rather than attempting their own version.

"The Senate will concur if we agree with the House's changes or try to work out the differences in conference," Patrick [said](#) on the social media platform X. "The Senate is ready to act, as we have been for weeks."

But no bill materialized in the lower chamber, and House members took no action on the Senate's voucher bill.

Rep. [Brad Buckley](#), R-Killeen and chair of the public education committee, told KUT that the timing was "too tight" to pass a vouchers bill before the Tuesday deadline.

The House's inaction all but guarantees a fourth special session, which Abbott had previously vowed to call if school vouchers did not become law. If that fails, Abbott has said he will support primary challengers to anti-voucher Republican House members.

Wednesday's dissonance between the governor and House mirrored [what happened Tuesday](#). Abbott announced that he had "reached an agreement" on vouchers with House Speaker [Dade Phelan's](#) team, only for the speaker to demur and Republican holdouts to say there was, in fact, no such deal.

For all his pronouncements that the passage of a voucher bill is imminent, Abbott has been unable to show publicly that any of the two dozen Republicans who opposed vouchers in a spring test vote have flipped.

That group of mostly rural conservatives, along with nearly all Democrats, have successfully blocked vouchers in the House.

Abbott has yet to comment on the House's inaction Wednesday evening. He announced Thursday morning that he had traveled to Israel overnight to reaffirm his support for the country after it was attacked last month by militant group Hamas.

[\[BACK TO TOP\]](#)

Harrison County seeing 4.5 percent turnout in November elections

Robin Y. Richardson
Marshal News Messenger
November 1, 2023

www.marshallnewsmessenger.com/news/harrison-county-seeing-4-5-percent-turnout-in-november-elections/article_c1f73624-78f1-11ee-bdca-2fcb7e7d66b2.html

Harrison County's early voting turnout remains slow as only 4.5 percent of registered voters in the county had voted, as of Wednesday, in the Nov. 7 elections.

"So far a total of 2,039 persons have voted in person," Harrison County Elections Administrator Donald Robinette said, quoting figures as of Wednesday.

Harrison County voters are deciding [14 statewide constitutional amendment referendums](#).

For its election, Karnack ISD is calling a [\\$575,000 bond election](#) in order to address transportation needs in the district. The proposed bond will provide for the purchase of three new school buses and two KISD transportation vehicles.

Early voting continues this week through Friday.

"We had early voting all last week and are now done with (three) days this week. Only (two) days remaining to vote early," reminded Robinette.

For the two remaining days, Thursday and Friday, only the main office will be open for 12 hours, 7 a.m. to 7 p.m., to allow for voting. All other early voting branches will be open from 8 a.m. to 5 p.m., Robinette noted.

The elections administrator reminded that there will be no voting at the elections office on Election Day.

"You cannot vote at the elections office on Election Day due to board meetings and other activities," he said.

Early voting branch locations are: Gold Hall Community Center, located at 101 East Elm St., in Hallsville; GW Carver Community Center/Anointing Grace Church at 2302 Holland St., in Marshall; Harleton Community Center at 4335 Community St.; Karnack's TJ Taylor Community Center at 15642 State Highway 134; Waskom Sub-courthouse at 165 E. Texas Ave.; Woodland Hills Baptist Church at 2105 E. Loop 281 in Longview.

Polls will open from 7 a.m. to 7 p.m. on Election Day, which will be Tuesday, Nov. 7. The 13 Election Day voting locations are: Harrison County ESD No. 9-Elysian Fields at 130 Farm-to-Market Road 451; East Texas Baptist University's Spiritual Life Center at 1 Tiger Drive; Hallsville's Gold Hall Community Center; Harleton Community Center; Marshall Convention Center at 2501 East End Blvd. South; Marshall Public Library at 300 S. Alamo Blvd.; Scottsville Community Center at 135 Green St.; St. Marks Methodist Church at 1101 Jasper Drive; TJ Taylor Community Center in Karnack; Waskom Sub-courthouse; West Harrison Volunteer Fire Department at 2656 S. Access Road in Longview; Woodland Hills Baptist Church in Longview; and Woodlawn Community Center at 199 Oak Lawn Terrace in Woodlawn.

For the Constitutional Amendment Election 14 amendments are on the ballot.

Proposed Amendments

According to the Secretary of State's Office, voters in Texas will vote on the following amendments as part of the Nov. 7 Election:

- Proposition 1 – HJR 126 “The constitutional amendment protecting the right to engage in farming, ranching, timber production, horticulture, and wildlife management.”
- Proposition 2 – SJR 64 “The constitutional amendment authorizing a local option exemption from ad valorem taxation by a county or municipality of all or part of the appraised value of real property used to operate a child-care facility.”
- Proposition 3 – HJR 132 “The constitutional amendment prohibiting the imposition of an individual wealth or net worth tax, including a tax on the difference between the assets and liabilities of an individual or family.”
- Proposition 4 – HJR 2 from the second special session “The constitutional amendment to authorize the legislature to establish a temporary limit on the maximum appraised value of real property other than a residence homestead for ad valorem tax purposes; to increase the amount of the exemption from ad valorem taxation by a school district applicable to residence homesteads from \$40,000 to \$100,000; to adjust the amount of the limitation on school district ad valorem taxes imposed on the residence homesteads of the elderly or disabled to reflect increases in certain exemption amounts; to except certain appropriations to pay for ad valorem tax relief from the constitutional limitation on the rate of

growth of appropriations; and to authorize the legislature to provide for a four-year term of office for a member of the board of directors of certain appraisal districts.”

- Proposition 5 – HJR 3 “The constitutional amendment relating to the Texas University Fund, which provides funding to certain institutions of higher education to achieve national prominence as major research universities and drive the state economy.”
- Proposition 6 – SJR 75 “The constitutional amendment creating the Texas water fund to assist in financing water projects in this state.”
- Proposition 7 – SJR 93 “The constitutional amendment providing for the creation of the Texas energy fund to support the construction, maintenance, modernization, and operation of electric generating facilities.”
- Proposition 8 – HJR 125 “The constitutional amendment creating the broadband infrastructure fund to expand high-speed broadband access and assist in the financing of connectivity projects.”
- Proposition 9 – HJR 2, regular session “The constitutional amendment authorizing the 88th Legislature to provide a cost-of-living adjustment to certain annuitants of the Teacher Retirement System of Texas.”
- Proposition 10 – SJR 87 “The constitutional amendment to authorize the legislature to exempt from ad valorem taxation equipment or inventory held by a manufacturer of medical or biomedical products to protect the Texas healthcare network and strengthen our medical supply chain.”
- Proposition 11 – SJR 32 “The constitutional amendment authorizing the legislature to permit conservation and reclamation districts in El Paso County to issue bonds supported by ad valorem taxes to fund the development and maintenance of parks and recreational facilities.”
- Proposition 12 – HJR 134 “The constitutional amendment providing for the abolition of the office of county treasurer in Galveston County.”
- Proposition 13 – HJR 107 “The constitutional amendment to increase the mandatory age of retirement for state justices and judges.”
- Proposition 14 – SJR 74 “The constitutional amendment providing for the creation of the centennial parks conservation fund to be used for the creation and improvement of state parks.”

Robinette encourages voters to conduct their own research in order to vote their best choice on each proposition. Voters can find more information about the amendments and voting in Texas at VoteTexas.gov.

[\[BACK TO TOP\]](#)

Texas proposition votes would spend billions in tax money

Chris Tomlinson
Houston Chronicle
November 1, 2023

www.houstonchronicle.com/business/columnists/tomlinson/article/texas-2023-propositions-election-taxes-18457169.php

Voters take advantage and cast their ballots during early voting at the West Gray Multiservice Center on Oct. 23 in Houston. Lawmakers are asking voters to rewrite the state constitution to spend billions of tax dollars.

The Texas Legislature feels flush with cash, and lawmakers are asking [voters to rewrite the state constitution](#) to spend billions of our dollars.

The Republican majority is on a spending spree thanks to the state's cut of high oil and natural gas prices. But they need voter approval to evade laws they passed to limit spending.

[Rewriting the constitution every time we want to invest](#) in water conservation, internet service, reliable energy, higher education or state parks is either a silly way to run a state or the best of fiscal conservatism, depending on your view.

Putting these issues before voters in an odd-year referendum is cynical, though. State lawmakers know only a tiny percentage of the electorate will turn out, and the 14 propositions are written to encourage approval.

Former [Confederates drafted the current Texas Constitution of 1876](#), a rewrite of the post-Civil War document overseen by Union officials. [In reaction to Reconstruction](#), the new constitution devolved power across multiple elected offices and required voter approval for anything significant.

A resolution to amend the constitution requires a two-thirds majority of the Legislature. Then, a majority of voters must approve a proposition. The governor's signature is required on enabling legislation passed by lawmakers separately.

In 1978, [Texas voters approved an amendment limiting discretionary government spending](#) to the economic growth rate. However, the limit does not apply to constitutionally required spending, known as dedicated funds.

If voters approve, Propositions 5, 6, 7, 8 and 14 would establish new dedicated funds that lawmakers cannot raid when money gets tight. These funds can also grow faster than discretionary spending.

[Prop 5 would create the Texas University Fund](#) with money from the rainy day fund, itself set up in 1988. Most of the state's piggy bank money comes from crude oil and natural

gas production taxes. When the industry does well, the account, officially known as the Economic Stabilization Fund, swells.

Prop 5 would require the previous year's interest income, dividends and investment earnings from the rainy day fund, up to an inflation-adjusted \$100 million, to flow into the Texas University Fund. The money would go to emerging research universities, which for now include only the University of Houston, Texas Tech University, University of North Texas and Texas State University.

The problem with the new fund, and the Permanent University Fund that spins money for the University of Texas and Texas A&M, is the dependence on oil and gas. Lawmakers are leaving our higher education funding to an industry under fire for climate change.

[Prop 6 would establish the Texas Water Fund](#) to ensure we don't run out of another natural resource subject to climate change. Lawmakers have agreed to transfer \$1 billion from the state's general fund to get things started.

Good thing, since the [Texas Water Development Board says the state needs \\$80 billion](#) to implement more than [2,400 water management projects required to meet the state's needs in 2070](#). Even if voters approve the amendment, lawmakers will eventually need to invest a lot more.

I [covered Prop 7 in an earlier column](#), but this is another case of putting a pot of money outside the reach of lawmakers. In this case, it's a bail-out for the natural gas industry, which is finding it increasingly difficult to compete with wind, solar and battery facilities.

Lawmakers set aside another \$1.5 billion for broadband internet services, primarily in rural areas, if voters approve Prop 8. Texas Comptroller Glenn Hegar, in one of those oddly elected positions, would spend the money to close the digital divide.

Telecommunications companies cannot justify spending millions on equipment and fiber optics to reach only a few hundred customers. Hegar can use the cash to get four-to-one matching funds from the federal government, [a program Republicans opposed](#), by the way.

Lastly, there is [Prop 14 to create the Centennial Parks Conservation Fund](#) and expand state parks. Lawmakers are seeding it with \$1 billion and hoping to attract grants and donations. Texas has very little parkland per capita, and lawmakers rarely give the Parks and Wildlife Department the money it needs.

In most other states, lawmakers could make these decisions without voter approval. They know the issues better than the tiny percentage of voters who will show up in an off-year

election. But until we get a new constitution, Texans must make these decisions at the ballot box.

May they possess the wisdom of the ages.

Chris Tomlinson, named 2021 columnist of the year by the Texas Managing Editors, writes commentary about money, politics and life in Texas. Sign up for his "Tomlinson's Take" newsletter at HoustonChronicle.com/TomlinsonNewsletter or Expressnews.com/TomlinsonNewsleter.

[\[BACK TO TOP\]](#)

After a Cascade of Republican States Left ERIC, What Comes Next?

By [Devon Hesano](#)
Democracy Docket
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<https://www.democracydocket.com/analysis/after-a-cascade-of-republican-states-left-eric-what-comes-next/>

Since the 2020 presidential election, Republicans [nationwide](#) have passed restrictive legislation harming voters, predicated on baseless allegations of widespread voter fraud. They have [attacked](#) mail-in voting, [limited](#) potential funding sources for election administration and [pushed](#) for inefficient and less accurate methods of counting ballots all in the name of rooting out voter fraud. In a twist of irony, the one voting system that effectively reduces voter fraud is the [Election Registration Information Center](#) (ERIC), which has seen a cascade of departures from Republican states.

Once uncontroversial and little known, ERIC is an organization comprised of both Democratic and Republican states that is used to ensure accurate voter registration rolls. States that opt-in to the coalition submit voter registration and department of motor vehicle licensing data to ERIC, which then produces a handful of maintenance reports. These reports can show voters who have died, moved states, possess duplicate registrations and those who are eligible to vote but have not yet registered. It is then up to the member states to use the provided data to clean up the rolls and reach out to eligible, unregistered voters.

Following the release of a glaringly false [article](#) attacking ERIC on the Gateway Pundit, a far-right website, that alleged numerous falsehoods about the coalition, a wave of departures ensued. Louisiana was first, after Secretary of State Kyle Ardoin (R) [announced](#) the state's departure just weeks after the article was published in January 2022. Then Alabama [left](#), followed by [Missouri](#), Florida and West Virginia. By July 2022, nine states, all Republican-controlled, had exited or announced their departure from ERIC.

Who's in and who's out of ERIC?

The other states that have left the coalition are [Iowa](#), [Ohio](#), [Texas](#) and [Virginia](#), and now only [five](#) Republican-controlled states remain in ERIC.

Until 2022, membership in ERIC steadily [rose](#) in the prior decade, expanding in membership in nine of its first 10 years. Now, less than [half](#) of the country is part of ERIC — just 24 states and Washington, D.C. are members — and the group once boasted more than 30.

Additional states are also considering their own departure. In Wisconsin, Republican legislators have [proposed](#) a bill that would repeal a 2016 law enshrining the state's membership and removing Wisconsin from ERIC. Kentucky Secretary of State Michael Adams (R) [announced](#) in June that the state would remain in ERIC for another year as it looks for potential alternatives. While Adams claimed that staying in ERIC long term would be "irresponsible" given the coalition's declining membership, he said it would also be irresponsible to leave at the time, given that no sufficient replacement to ERIC currently exists.

Alaska [made](#) a similar decision after considering a departure. The Alaska Division of Elections likewise announced in June that the state would remain in the group "[u]ntil another tool is available that can provide the same or enhanced services."

After rash decisions to depart ERIC, Republican-led states are scrambling for sufficient replacements.

Unfortunately, not all states had the same thinking as Kentucky and Alaska, and numerous left without seriously considering how they would replace the long-effective organization. Thus far, the best the departed states have been able to accomplish are piecemeal agreements, with less reliable data, that pale in comparison to the abilities of ERIC.

A flurry of recent one-to-one agreements have been made, the [largest](#) of which Virginia formed with Georgia, Ohio, South Carolina, Tennessee, West Virginia and Washington, D.C. Ohio also entered into a one-to-one agreement with Florida, West Virginia and Virginia. Alabama has [reached](#) data-sharing agreements with every state that borders it, as well as Arkansas. But experts say the Alabama agreements [lack](#) detailed security language and it's unclear how states will actually utilize the data. In all three agreements, Alabama, Ohio and Virginia will share their data with the other states, but the other states won't necessarily share data with each other.

Alabama is also [attempting](#) its own replacement to ERIC, with a system it calls the Alabama Voter Integrity Database (AVID). AVID relies on data such as the U.S. Postal Service's National Change of Address List, the Social Security Death Index and Alabama's data to manage its voter list. A similar system called Crosscheck that relied on in-house data was once [introduced](#) in Kansas in 2005, but resulted in lawsuits and its eventual abandonment after it was shown to often be inaccurate.

Michael Morse, an election law professor at the University of Pennsylvania who recently [published](#) a paper on ERIC, told Democracy Docket that “the Republican states who have withdrawn from ERIC are now trying to effectively recreate Crosscheck,” and expects they “will suffer the same problems” that Kansas did.

The fractured agreements and piecemeal strategies could have devastating consequences.

Data sharing agreements work with strength in numbers — the more states who take part, the more data that is shared — resulting in increasingly accurate voter rolls. When states are only receiving records from just a handful of states, the practice becomes ineffective.

Making matters worse, states are not only receiving and sending less data, but the data that is being shared is [less](#) reliable and comprehensive than the data shared between ERIC member states. The coalition benefits from confidential, government-provided data that it can use to ensure accurate registrations. The most crucial data point ERIC relies on is driver’s license data, which typically also includes an individual’s Social Security number (SSN). The new agreements don’t include much of this data.

Morse said the lack of department of motor vehicles data in the new agreements is “the red flag,” and that “[s]tate-by-state agreements without driver’s license data are designed to fail.”

Without confidential data like driver’s licenses, states that rely only on voter registration lists run into trouble because they lack unique identifiers. For [example](#), ERIC is able to delineate between a John Smith in Michigan and a John Smith in Ohio because the group has access to confidential data, like SSNs, that can clearly differentiate the two. The new agreements don’t have the same ability.

Even those that have left ERIC and are forging attempted replacements have admitted to struggles. Missouri Secretary of State Jay Ashcroft (R) has [conceded](#) that the state faces limitations because it can’t obtain any data from states who remain in ERIC. Ohio Secretary of State Frank LaRose (R), who once [lauded](#) the organization, has [similarly](#) admitted that the new partnership involves less data sharing.

The new agreements also inconveniently leave out an often underlooked aspect of ERIC: its voter registration efforts. ERIC notifies states of voters who have moved, but have not yet registered to vote in their new jurisdiction.

Election vigilantes are exploiting the departures.

Departures from ERIC, and the subsequent need for replacements, have also opened a wide door to dangerous election vigilantism from members of the public. Morse describes voter registration lists as the “vulnerable backbone of election administration,” and seeing the recently created void, activist groups have begun creating their own methods for maintaining voter lists, which could be even more dangerous than the recently announced partnerships.

The most notable endeavor is [EagleAI](#) and its software, EagleAI NETWORK. Founded by a former doctor with no election administration experience, the program is run not by government officials, but by citizen activists. The group utilizes unreliable public data, and additionally interacts with the [Voter Reference Foundation](#) (VoteRef), a Republican group that publishes voter information, including addresses, birthdates, party affiliation and more.

EagleAI's computer program, self-described as "excel on steroids," automatically flags registrations thought to be suspicious, which are then evaluated by the vigilantes who can submit them to be challenged. EagleAI has the capability to challenge thousands of voters' eligibility, predicated on weak information, with just a few clicks.

EagleAI is heavily associated with [Cleta Mitchell](#), an election denier and one-time lawyer to former President Donald Trump. Mitchell and her Election Integrity Network (EIN) have been [teaching](#) the program to activists throughout the U.S., and individuals affiliated with EIN have met with elected officials to push the program.

Another company, Fractal, is also [seeking](#) to take advantage of the ERIC departures. Though not much is known about the company, it was founded by Jay Valentine, who works for the Gateway Pundit.

Valentine [claimed](#) in a pitch email to Texas Secretary of State Jane Nelson (R) that his program manages 1.7 billion voter records, and he once admitted to receiving funding from My Pillow CEO Mike Lindell, a Trump ally and prominent election denier.

Instances of election vigilantism have surged in recent years. Just this month, Virginia Attorney General Jason Miyares (R) [warned](#) a right-wing project to "immediately cease and desist" sending false and misleading information to Virginia voters and a group of conservative activists [went](#) door-to-door to challenge voter registrations in Washington.

Last month, the New York State Board of Elections similarly [cautioned](#) New Yorkers that individuals across the state have been impersonating county board of elections staff, prompting the New York attorney general's office to send a cease-and-desist to a group accused of confronting voters and falsely accusing people of committing voter fraud.

After succumbing to dangerous and baseless conspiracy theories, Republicans in numerous states are once again threatening election administration. By failing to create sufficient replacements to ERIC, a glaring void has developed — one that is being exploited by bad actors making matters worse.

[\[BACK TO TOP\]](#)

Most Mexicans feel unsafe, especially in drug cartel areas, survey says

Julian Resendiz
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www.borderreport.com /regions/mexico/most-mexicans-feel-unsafe-especially-in-drug-cartel-areas-survey-says/

EL PASO, Texas ([Border Report](#)) – As drug cartel activity spreads throughout Mexico, so does the fear ordinary residents feel of falling prey to crime, a newly released Mexican government study shows.

Almost seven out of 10 adult residents of the border cities of Tijuana and Juarez – and 83 percent of those who live in Reynosa – feel unsafe, according to the “[Encuesta de Seguridad Publica Urbana](#)” (Urban Public Safety Survey) published Oct. 19 by the National Institute of Information, Statistics and Geography (INEGI).

The fear is greatest in the state of Zacatecas, where warring cartels have [hung bodies from bridges](#) and [stuffed them inside cars 10 at a time](#) on the street in recent years. The survey says 95.4 percent of the residents of Fresnillo and 92.1 percent of those living in the state capital of Zacatecas feel unsafe.

Fear also runs high (92.2%) in Ciudad Obregon, Sonora, where dozens of people are missing and a group of grieving mothers often spend the weekends [digging in abandoned backyards](#), looking for bodies. In Uruapan, Michoacan, where cartels reportedly have [placed quotas on lime growers](#) and merchants, the fear index is at 91.5%.

This map by Mexico’s National Institute of Information, Statistics and Geography (INEGI) shows the percentage of residents in major cities who feel unsafe.

Overall, 61.4% of all Mexicans over 18 surveyed stated they feel unsafe in their cities. Other than cartels, a simple trip to the ATM and violence from drunks and individuals high on drugs stresses Mexico’s urban dwellers, the survey shows.

The INEGI survey also reveals that in a country where firearms sales are [strictly controlled](#) and [few permits are issued](#), 36% of the population has witnessed or heard shootings near their homes in the past three months.

In Juarez, 40.8% of adults over 18 have witnessed or heard “frequent gunshots around their homes” between July and September, according to INEGI. The percentage is even higher in Tijuana (69.3%), Reynosa (55.3%) and Chilpancingo (48.8%).

This chart by Mexico’s National Institute of Information, Statistics and Geography (INEGI) shows the percentage of people in major cities that have witnesses shootings or heard shots in their neighborhoods.

Chilpancingo is the state capital of Guerrero, where [seven decapitated bodies](#) were left in front of a church in June. In August, a drug cartel [dropped more than 30 bombs from drones](#) just 30 miles northwest of Chilpancingo.

“It is always. I always see assaults. On this corner, they once found a guy dismembered,” an elderly resident of the Aztecas neighborhood in Juarez told Border Report. “In recent years, our neighborhood has been a disaster. It’s ugly.”

The resident, who would not allow his face to be shown on camera, said residents avoid trouble by sticking to their daily routines and keeping their mouths shut. “We don’t trust the law. At all. They’re worse. I’ve been in this neighborhood since young and it’s best to be leery (of the police). Many times you’re going about your business and they get you for any little thing,” the resident said.

Another Los Aztecas resident said he tries to avoid going out when he doesn’t have to. The man in his 30s said he recently witnessed a shooting. “You can’t even go out anymore,” he said.

[\[BACK TO TOP\]](#)

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