

Top Stories

Notes

1. Everyone is asking about this Independent Article: Combine this with the administration's cancelation of racial sensitivity and you can see why black listeners are seeing red flags. Also Lindsey's comment "The good ole days of segregation" whether they're supposed to be sarcastic or not is in extremely bad taste considering his opponent is a black man. <https://www.independent.co.uk/news/world/americas/us-politics/amy-coney-barrett-confirmation-supreme-court-n-word-b1016358.html>

<https://www.sfchronicle.com/politics/article/Justice-Department-cancels-diversity-training-15635203.php>

2. The Supreme Court is setting aside for now a lower court order that extended 2020 Census counting through Oct. 31, allowing the Trump administration to end counting soon <https://assets.documentcloud.org/documents/7230034/20A62-Order.pdf>

3. Article by Eli Mystal about the Barret hearings <https://www.thenation.com/article/politics/amy-coney-barrett-roe-aca/>

4. Rittenhouse update: Kyle Rittenhouse, Accused Kenosha Killer, Won't Face Gun Charges In Illinois <https://www.npr.org/sections/live-updates-protests-for-racial-justice/2020/10/14/923643265/kyle-rittenhouse-accused-kenosha-killer-wont-face-gun-charges-in-illinois>

5. Trump back at SCOTUS trying to stop his financial records from going to a grand jury. SCOTUS ruled in June to allow him to pursue args that the grand jury's subpoena was overbroad & in bad faith but lower courts quickly rejected those arguments. https://supremecourt.gov/DocketPDF/20/20A63/157461/20201013102953654_Trump%20v.%20Vance%20II%20-%20Emergency%20Stay%20App.pdf

6. California gop drop boxes: California Republican Party says it will not comply with state's cease and desist order on ballot drop boxes <https://www.cnn.com/2020/10/14/politics/california-republicans-ballot-drop-boxes-cease-and-desist/index.html>

7. The Texas State Board of Social Work Examiners' code of conduct will no longer prohibit social workers from turning away clients on the basis of disability, sexual orientation or gender identity. https://www.texastribune.org/2020/10/14/texas-social-workers-rule-discrimination-lgbt-disabilities/?utm_campaign=trib-social&utm_content=1602702941&utm_medium=social&utm_source=twitter

Court Docs:

The 5th Circuit largely upheld dismissal of a case seeking a range of election-related policy changes in Texas related to COVID-19.

One exception: The court revived a challenge to Gov. Abbott's mask requirement carveout for voters and poll workers. <https://assets.documentcloud.org/documents/7231551/10-14-20-Mi-Familia-v-Abbott-5th-Circuit-Opinion.pdf>

The 7th Circuit, 2-1, has blocked a district court order that would have extended Wisconsin's voter registration deadline and required the state to count ballots postmarked by Election Day through Nov. 9 <https://assets.documentcloud.org/documents/7223388/10-8-20-Bostelmann-7th-Circuit.pdf>

A Florida federal judge won't reopen voter registration after the state's website crashed on the last day, BUT had extremely harsh words for state officials: "This case is about how a state failed its citizens." <https://assets.documentcloud.org/documents/7224309/10-9-20-Namphy-v-DeSantis-Order.pdf>

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Court action continues to move fast and furious around election practices — three rulings of note since last night alone:

1) 6th Circuit ruled 2-1 that the Ohio Sec. of State can restrict drop boxes for ballots, reversing a district judge's injunction: <https://assets.documentcloud.org/documents/7224718/10-9-20-a-Phillip-Randolph-Institute-v-LaRose.pdf>

A federal judge in Texas blocked Gov. Abbott's order banning counties from having more than one drop box. The judge wrote that Abbott's last-minute change was far more likely to create confusion for voters at this point than reopening drop sites

<https://assets.documentcloud.org/documents/7224720/10-9-20-LULAC-v-Abbott-Order.pdf>

The 5th Circuit sided with Texas in the fight over where voters can hand-deliver absentee ballots – Gov. Abbott's order restricting each county to one drop location will stand

<https://documentcloud.org/documents/7228672-10-12-20-5th-Circuit-LULAC-v-Abbott.html>

Barrett's supplement did include a 2013 statement she signed as a member of University Faculty for Life at Notre Dame — she said that she did believe that was responsive to the questionnaire because it was a statement on behalf of an org she belonged to

<https://twitter.com/ZoeTillman/status/1316113177256566786?s=20>

Barrett draws a distinction between something she signed in 2006 as a private citizen and what she signed as a member of an organization in 2013, given what exactly the questionnaire asks for. Here's how that section is phrased:

<https://twitter.com/ZoeTillman/status/1316114603856801792?s=20>

Indiana's Election Day deadline for accepting absentee ballots is back on – the 7th Circuit reversed a district judge who had ordered the state to count mail-in ballots through Nov.

13 <https://documentcloud.org/documents/7230052-10-13-20-Common-Cause-Indiana-7th-Circuit.html>

New: Lawsuit filed in federal court in Virginia seeking a 48-hour extension for voter registration after the website temporarily went offline today:

<https://assets.documentcloud.org/documents/7230186/10-13-20-New-Virginia-Majority-v-Virginia.pdf>

A judge has signed off on an agreement reached by voting rights groups and Virginia to issue an order extending the state's voter registration deadline through Oct. 15 after the website temporarily went down yesterday

<https://twitter.com/ZoeTillman/status/1316386069684916226?s=20>

Another voting decision of note today: The Texas Fourteenth Court of Appeals, an intermediate appeals court that covers Houston, rebuffs a challenge from state Republicans to the county allowing curbside voting (no standing + voting already started)

<http://search.txcourts.gov/SearchMedia.aspx?MediaVersionID=dfd554d7-10f8-4134-a32a-4310e96157c3&coa=coa14&DT=Opinion&MediaID=1ba31b2b-ccdd-435c-9d7e-47049960ed6b>

New: In two separate opinions, a federal judge in North Carolina has:

1) Left in place a policy that will allow absentee ballots to be counted through Nov. 12, even though the judge found it likely unconstitutional, since it's so close to Election Day:

<https://assets.documentcloud.org/documents/7231484/Democracy-NC-Judge-Osteen-Order-2020-10-14.pdf>

2) Blocked a policy that would make it easier for voters to address a missing witness signature on their ballot, finding that rule change couldn't stand after voting had already started b/c it would create different classes of voters

<https://assets.documentcloud.org/documents/7231514/10-14-20-Democracy-North-Carolina-v-NC-Opinion.pdf>

News

Oct 14th

U.S. Postal Service agrees to reverse changes that slowed mail service nationwide, settling a lawsuit filed by Montana. The changes were made in an election year when many more Americans are expected to vote by mail because of the coronavirus pandemic.

https://apnews.com/article/virus-outbreak-lawsuits-montana-steve-bullock-4bdadb8d76f97eccaed706fcf79f50e?utm_source=Twitter&utm_campaign=SocialFlow&utm_medium=AP

Videos show closed-door sessions of leading conservative activists discussing attempts to limit mail-in ballots from being sent to voters and amplifying conspiracies about voting.

"We need to stop those ballots from going out."

https://www.washingtonpost.com/investigations/council-national-policy-video/2020/10/14/367f24c2-f793-11ea-a510-f57d8ce76e11_story.html