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# — News From The States —

# EVENING WRAP



By [Kate Queram](#)

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The general theme of today is “please stop asking me about that thing I already said no to,” which you can delve into right now by understanding that the volume of news is too great today for me to offer you any further banter. Do not ask me! I already said no!



## The Big Takeaway

The U.S. Supreme Court on Tuesday rebuffed Alabama Republicans for the second time in three months, denying their latest attempt to use a gerrymandered congressional map that includes only one majority-Black district. The court issued its edict via two one-sentence orders, dismissing without explanation an emergency request from lawmakers to block lower court rulings invalidating the maps. There were no noted dissenting votes, [the Alabama Reflector reported](#).



*“Yeah, pretty sure we already explained this.” — SCOTUS, probably  
(Photo by Al Drago/Getty Images)*

**The decision is basically the legal equivalent of patiently answering the same question 400 times before throwing your hands up and snapping, “Because I said so.”** The court had already dismissed these exact same maps, [voting 5-4 in June](#) to uphold a lower court’s ruling that the plans violated the Voting Rights Act by creating a single Black-majority district in a state where Black residents comprise 27% of the population. The decision directed lawmakers to create a second Black-majority district, an edict they ignored in favor of [rejiggering the boundaries](#) to increase the number of Black voters from 30% to 40% in one district that, according to data simulations, would have continued to elect mostly white Republicans.

And then, for reasons I cannot even begin to fathom, the state brought that noncompliant map right back to the U.S. Supreme Court, essentially asking the justices for permission to defy the guidance that the justices themselves issued less than four months ago. Little wonder, then, that the panel had little to say in its rejection beyond, essentially, “...No.” That decision allows a court-appointed special master to proceed with new maps, which so far include [three proposals](#) that would create two new congressional districts with between 48% and 53% Black residents of

voting age.

**But the ruling could have implications far beyond just Alabama.** It could affect Congress, should a no-longer-hypothetical second district with a left-leaning Black majority elect another Democrat to the U.S. House of Representatives, where Republicans are clinging to the slimmest ([and most chaotic](#)) of majorities. It could also impact state and congressional maps in other states, including Georgia, Louisiana and Texas, where [similar legal challenges](#) are wending their way through the court system. Perhaps most importantly, it signifies new life for Section 2 of the Voting Rights Act, which bans discriminatory voting practices and has been, historically, not popular among the high court's conservative majority. That they've now voted twice to uphold it is significant, said state Rep. Chris England, a Tuscaloosa Democrat.

"Many other states should begin the process of taking advantage of the precedent that's created by this case," he said.



*Ohio Secretary of State Frank LaRose, saying something.*

*(Photo by Justin Merriman/Getty Images)*

**The “please don’t ask us if you can do the thing we already said you could not do” ruling**

**could also hold valuable lessons for other state officials**, if any of them cared about listening to reason or, you know, learning things. Alas, doing that would negate much of their personalities, so I am not hopeful, and that is a fitting segue to Ohio Secretary of State Frank LaRose, who has since 2019 referred more than 640 cases of potential voter fraud to investigators despite noting regularly that voter fraud is rare. He's right — less than 3% of those cases resulted in charges — but he takes no pleasure in it, probably because the scarcity of voter fraud undercuts his increasingly fringe rhetoric on voter fraud, [the Ohio Capital Journal reported](#).

In February 2022, for example, LaRose highlighted just 27 cases of potential illegal voting activity during the 2020 election, noting that those ballots “account for .0005 percent of the total.” This is good news for a statewide election administrator, unless you are a certain brand of *Republican* statewide election administrator, in which case it is only good news until someone uses it to push back on a certain former president's baseless claims of widespread voter fraud, at which point it becomes *bad* — some might even say *fake* — news.

**Such was the case for LaRose** after The Hill included his announcement [in a roundup](#) of research that undermined criminal defendant Donald Trump's whining about his 2020 election loss. The publication printed LaRose's press release more or less verbatim but also made the mistake of referring to him as one of a handful of Republicans who pushed back against Trump's “repeated efforts to distract from his own loss with a series of disproven conspiracy theories and outright lies,” and that is, probably, what sent him, screaming, to social media.

“Here they go again, to claim ‘there's nothing to see here — move along,’” LaRose posted. “WRONG! [These referrals] ARE ONLY THE BEGINNING. I'll stop at nothing to expose any effort to cheat in Ohio & I'll call out any attempt to downplay this threat to the integrity of our elections.”





*Just a thought.*

*(Photo by treenabeena/Adobe Stock)*

**Despite all of his capslocked ranting, LaRose does little to keep tabs on voter fraud allegations once he hands them off to investigators.** His office doesn't follow up to determine whether the cases result in criminal charges, nor does it appear to track the number of tips it forwards beyond trumpeting each batch in a press release. Repeated inquiries for that data eventually produced a spreadsheet identifying the number of allegations per county and the broad categories of potential offenses, which took staff members five months to supply.

As of June, according to the data, LaRose had referred 641 cases of potential voter fraud to state or local officials — out of 14.7 million ballots cast since he took office in 2019. If every single one of those incidents resulted in charges, the rate of voter fraud during his tenure would be just .0044%. But few of them do. According to county-level data, just 18 referrals produced charges. Another 12 remain under investigation.

Most of the referrals do not warrant the media blitz, according to prosecutors. A lot of the incidents flagged by LaRose's office are better described as irregularities or errors than as violations, like a noncitizen registering to vote without ever actually doing so, or an elderly voter

casting a ballot at the wrong precinct.

**All of which might be good news to Ohio voters, if LaRose ever got around to highlighting it for them.** Alas, much like his referral process, he's only gone halfway; touting the referrals as a reason that Ohio voters can trust the state's election system without ever compiling the data that would explain why, exactly, that is. Instead, he's compared them to carjackings: They might be rare, but if one happens near your house, "you want the police to investigate, right?"

"Of course we do," he continued. "And that's why Ohioans know that they can trust their elections."



*Ohio Secretary of State Frank LaRose, urging trust in the state's elections based on the 641 reasons he gave you to doubt the state's elections.*

*(Photo by Susan Tebben/Ohio Capital Journal)*

It's a great analogy, except he forgot the part where the police investigation determines that the car was actually not stolen, but moved by a well-meaning neighbor who realized it was parked



next to a fire hydrant. Without that information, it's just you being unsettled that a car was stolen right in front of your house. In other words, context matters, said Jen Miller, head of the Ohio League of Women Voters.

“When (LaRose) continues to trumpet the number of cases that he flagged for investigation, he needs to make clear that these are not confirmed cases of voting fraud, and that very few of these cases ultimately will be found to be fraudulent,” she said. “Ohio voters need accurate information about our elections, and when they do not have it, they may not have faith in our system.”

**Imagine that:** [Alabama House Districts 16, 55 hold special elections Tuesday: what you need to know](#) ... [98% of Arizonans will have new elections officials in 2024, report finds](#) ... [Arkansas attorney general tosses ballot title for initiative to repeal state 'tampon tax'](#) ... [Fox News, Hannity to be added as defendants in Boebert defamation lawsuit, attorney says](#) ... [Fight about abortion breaks out between Trump and DeSantis in the GOP presidential race](#) ... [Attorneys spar over Georgia's voting law after federal judge temporarily blocks some provisions](#) ... [Idaho House reaches support for special legislative session, but proposal differs from state Senate](#) ... [Plan would cut or merge 43% of Iowa boards and commissions](#) ... [Ten Kansas advocacy groups rebuffed by Wyandotte County election commissioner](#) ... [New Hampshire primary: Yard signs out. Social media in. Future? Up for debate.](#) ... [Experts alarmed by claims that Menendez eased military aid to Egypt](#) ... [Ohio Redistricting Commission spends Jewish high holy day in doubleheader public meetings](#) ... [Pennsylvania House Democrats renew call for end to blockade on state-related university aid](#) ... [South Dakota congressman says members who 'love chaos' could hurt Republicans in shutdown fight](#) ... [“We are not going away”: Paxton whistleblowers vow to continue legal fight in court](#) ... [Despite political backlash, socially responsible investing is still popular, advisor says](#)

## Caught Our Eye

More than one-third of Democrats in the U.S. Senate had called for embattled Sen. Bob Menendez (D-N.J.) to resign as of early Tuesday afternoon, [our D.C. bureau reported](#). The group of 18 included Sen. Cory Booker, a fellow New Jersey Democrat who said it was a “mistake” for Menendez to remain in office after being indicted on federal bribery charges.



*“Please stop asking me to do the thing I already said I would not do.”*

*(Photo by Michael M. Santiago/Getty Images)*

“Stepping down is not an admission of guilt but an acknowledgment that holding public office often demands tremendous sacrifices at great personal cost,” Booker said [in a lengthy statement](#) that honestly deserves some sort of prize for intraparty diplomacy.

Menendez was, as of yesterday, unmoved by those pleas, [saying at a press conference](#) that the allegations against him “are just that — allegations” and proclaiming that the “court of public opinion is no substitute for our revered justice system.” Menendez, who’s up for reelection next year, is expected to appear before that revered system on Wednesday.



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## 👉 One Last Thing

The Golden Globes in January will [introduce a new award](#) for Cinematic and Box Office Achievement in Motion Pictures, a category exclusively for movies that have grossed at least \$150 million globally/\$100 million domestically. It is, in other words, a participation trophy for blockbusters that would not otherwise win marquee awards, though the Globes would have you believe that nominees must have also “gained extensive global audience support and produced exceptional creative content.” Your time to shine, [Marvel universe!](#)



YAY  
(via Giphy)

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