COMMENTARY

Common-sense election integrity laws get a win


Quin Hillyer

Chalk up two more wins, or at least 1½, for voting integrity. Last month in both Arizona and Nevada, plaintiffs won decisions forcing states to tighten procedures against possible vote fraud.

The more prominent case was from Arizona, where the Supreme Court gave a significant victory, even if one that was only both partial and interim, to the avatars of honest elections. At issue is whether states, at least for purposes of state (rather than federal) elected offices, can require proof of citizenship for anyone to register to vote. This means, more broadly, whether states can impose tighter requirements for voting integrity than federal law requires, assuming there are no invidiously discriminatory effects.

At least for purposes of the 2024 election, the Supreme Court said Arizona can indeed require proof of citizenship if the person at issue registers using a state-issued registration form rather than a federal one.

The full merits of the case, Republican National Committee v. Mi Familia Vota, remain to be adjudicated in lower federal courts. But a 5-4 Supreme Court majority ruled that until full adjudication, at least part of Arizona's law, as described above, can go into effect. And three of the justices — Clarence Thomas, Samuel Alito, and Neil Gorsuch — would have allowed the entire Arizona law to take effect in the interim.

Most people surely would find it preposterous that states would be forbidden from ensuring that only citizens can vote. Alas, federal election statutes and bad court interpretations through the years have made it difficult for states to implement even such a basic safeguard. Last month's ruling at least temporarily reserves for states at least some authority for voter integrity. Without such safeguards, a large swath of the public will continue to distrust the legitimacy of election results, undermining faith in the constitutional system itself.

Meanwhile, last month also saw a voter-integrity win in Nevada. There, the national Public Interest Legal Foundation had unearthed massively widespread voter registration infractions. Statewide, elections officials had sent 95,556 ballots to "bad" or undeliverable addresses in the 2022 midterm elections, and PILF has found hundreds of addresses in Clark County alone registered not at actual residences but at "strip clubs, casinos, bars, vacant lots, gas stations, and fast-food restaurants." Oh, and also tattoo parlors. This runs counter to state law (and to common sense), which requires people to register where they live, which obviously does not include gas stations or, of course, vacant lots.

As a result of a PILF lawsuit demanding that the Registrar of the state's most populous jurisdiction, Clark County, investigate these commercial-address registrants and scrub improper ones from the voter rolls, Registrar Lorena Portillo on Friday agreed to begin doing voter-list maintenance as required. A similar PILF lawsuit remains pending in Washoe County, the state's second most populous.

Considering that Nevada elections tend to be quite close, with the 2022 Senate race decided by fewer than 8,000 votes, and considering that the state automatically mails ballots to every active registered voter, it is obvious that widespread illegal registration could easily make the difference between candidates winning and losing. Forcing registrars to do their jobs will not just bolster voter confidence that the results are fair, but also help ensure that they are accurate.

If the political left would spend less time denying the truth that major voter irregularities exist and more time working to eliminate those irregularities, the public would not be so loath to suspect foul play.

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Are we seriously still fighting over treating miscarriages?


Stephanie Grace

Me, I would not want to pick a fight with Kaitlyn Joshua.

For one thing, the Baton Rouge woman is a professional community activist, so she knows how to advocate for herself.

Second — and this is a much more compelling reason — the story she's telling about her lost 2022 pregnancy, most recently at the Democratic National Convention, should invoke nothing but sympathy, and trigger only a shared commitment to make sure nobody else in Louisiana who seeks care is sent home "in pain, bleeding so much my husband feared for my life."

Yet despite Joshua's poise and purpose on the stage in Chicago, after she spoke those words, someone very public — Louisiana Attorney General Liz Murrill — did come after her.

Murrill's criticism centered on this line in Joshua's brief talk: "Two emergency rooms sent me away. Because of Louisiana's abortion ban, no one would confirm that I was miscarrying."

"Democrats have their facts wrong," Murrill posted on X. "There is nothing in our bipartisan law that prohibits emergency care for someone having a miscarriage or any emergency situation during pregnancy. Nothing. Hard stop."

Joshua said last week that Murrill's post left her in tears, not just because she thinks it's dangerous for "someone to insinuate that these bans are not harmful," but also because she felt Murrill was suggesting she was being used by the Democrats.

"She was trying to discredit my story," Joshua said.

Sure seems so.

Here's the political context: Murrill is a Republican who opposes abortion rights and supports Donald Trump. Joshua is working to elect Democrat Kamala Harris, who is highlighting stories like hers about what's happened since Trump-appointed Supreme Court justices provided the margin to send abortion policy to states like Louisiana.


ASSOCIATED PRESS PHOTO BY J. SCOTT APPLEWHITE

Kaitlyn Joshua speaks on stage during the Democratic National Convention in Chicago last month.

Let's also acknowledge this: Joshua admits she wasn't told directly she was not given the care she sought — help to end a pregnancy that she was sure her body was spontaneously aborting — because of the law.

In fact, one of the horrifying parts of her story is that she had so much trouble getting straight answers from medical professionals. In her case, she said, the only direct reference someone made to Louisiana's near-total abortion ban came from a medical assistant who wouldn't schedule an appointment in her first trimester. That's a worrisome situation in itself, Joshua told me, because Black women in particular often face poor outcomes.

When Joshua miscarried at 11 weeks, the indirect message she got was tinged with avoidance. Having had prior miscarriages and knowing to ask for either a D&C or medication abortion, she said she was basically told that "we're not doing that right now." One provider even questioned whether she was pregnant at all.

Despite Murrill's claim that there's nothing to see here, Joshua's experience tracks with other reports that doctors and hospitals are operating in a culture of fear and confusion, and yes, even avoiding seeing patients during the early stages of pregnancy, when many miscarriages that could raise red flags occur.

Louisiana's law carries civil and criminal penalties for abortion providers. And anecdotal narratives like Joshua's back up reports from health care providers that they're unsure where Louisiana's abortion ban draws the line, or how it might be enforced.

One frightening signal that they still cite two years later is a letter that then-Attorney General, now Gov. Jeff Landry, issued soon after Roe v. Wade was overturned, warning that anyone who performs an elective abortion is "jeopardizing his or her liberty and medical license." Landry signed the letter, but Murrill, who was a top aide in the AG's office, claimed authorship.

So you can certainly infer that doctors, hospitals and the lawyers who represent them are trying to limit exposure.

How often that happens is hard to quantify given medical privacy laws and the understandable reluctance of many to speak out publicly. Joshua said she's spoken with more than 70 other women who've had similar experiences — and heard from still more women, husbands and friends about various hardships created by the law, including having to leave the state for health care.

She said she can't recommend that these women lobby the Legislature, as she has done, because she's "mindful of not having other people be demoralized."

"We've simply asked for them to clarify the language, and they are adamant that it will be abortion on demand," she said.

That too tracks with the conversations I've had with people working on the issue. To a person, they are realistic and understand that abortion is not going be widely available in Louisiana any time soon.

Their immediate goal is to contain the damage, make sure women can get humane care before their conditions crater and keep doctors from leaving the state for someplace where they can practice without being under threat.

Every now and then, you've got to take a step back and wonder: Are we really fighting over this?

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Gov. Jeff Landry should let the national anthem issue be


Will Sutton

I really thought Gov. Jeff Landry's national anthem athletic stance had moved from a national bonfire to the remnants of what's left after a small campfire — a few embers from twigs and flickering coals smoldering as the guv realized that this is a no-win situation.

Perhaps it has.

In the spring, Landry created a firestorm when he pointed out that popular LSU women's basketball coach Kim Mulkey and the LSU women's basketball team were not standing courtside during the national anthem before the team's Elite 8 finale against the University of Iowa. Iowa players were standing courtside, but the LSU team was still in their locker room — where they typically had been all season during the anthem.

Landry, who regularly attends LSU basketball and football games, tried to ride a social media wave of complaints bashing Mulkey and her team.

"I just sent out a letter to each one of our college boards, telling them they should put in place a policy that respects the national anthem," the governor said when he was interviewed on Fox News in the spring. He suggested that athletes who did not obey the policy should lose their scholarships.

Soon after Landry's comments, LSU football coach Brian Kelly said he understood the governor's stance and that he and his team would abide by whatever university leaders decided.

Now, just in time for Sunday's LSU season opener against No. 23 Southern Cal in Las Vegas (6:30 p.m., ABC), LSU announced, "There will not be any changes to our pregame football processes this season." In other words, the team will not change its pregame routine. Players won't be on the field standing for the national anthem before this season's games.

LSU has nine men's sports and 12 women's sports, but what might happen with the nonfootball sports during the national anthem was not shared.

No word on whether LSU cross-country, golf and swim team athletes will be in the locker room or standing at the starting line, on the course or poolside as the national anthem plays.

I was clear when I wrote about Landry's national anthem demands in my April 9 "Gov. Jeff Landry, bench your mock national anthem crisis" column.

A few days later, on April 15, Landry clarified his national anthem intentions in a guest column in this newspaper, saying in part that "many have misconstrued my comments in the media regarding the importance of respecting and recognizing our national anthem."

I'm not many, but I may be one of those he referenced.

"We should never have a situation where one team is on the field or the court for the national anthem and the other is not," the governor wrote. "Either both teams should be on hand or neither should be. Otherwise, it will be interpreted by many observers exactly as this was: that the team not on hand isn't patriotic."

"That is not right!"

Referencing Kelly's earlier comments that he would abide by whatever his university leadership decided, Landry wrote: "Kelly also said that his football team would stand proudly for the anthem if a decision were made that they should ... I commend him for those comments."

Now that the university has decided, I hope Landry will "commend" LSU for making a decision and Kelly for abiding by it.

Quoting Landry's own words from April, "It is my hope that Louisiana's public colleges adopt a custom of having our sports teams on the field or the court for the national anthem. Because being American is more important than whether we're Tigers, Bulldogs, Jaguars, Cajuns, Cowboys, etc."

"There are many important issues facing our state and nation."

Yes, governor, there are many more important issues to handle.

We haven't heard from Landry since the LSU announcement.

We also haven't heard from the Louisiana Board of Regents, the LSU System, the Southern University System, the University of Louisiana System or the Louisiana Community and Technical Colleges System whether they plan to include national anthem matters at upcoming staff and board meetings.

I certainly hope they deal with the issues that really matter.

We need system and university leaders to govern and lead with an academic focus and rigor that includes sports. The national anthem isn't — and shouldn't be — a policy issue.

Let it go, guv. Let it go.

Email Will Sutton at wsutton@theadvocate.com.

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