

## Twitter Thread by Joe

Joe

@DempseyTwo



**On November 1, 1982, (Yes, 1982) a document was filed in a New Jersey court. This document, or at the very least its history, is something we need to be aware of. It was a CONSENT DECREE entered into between the DNC and the RNC.**

### **A 7th wee Election Integrity ■■■■**

In 1981, there was a group of Republicans in New Jersey calling themselves the “National Ballot Security Task Force.” As alleged by the Democratic National Committee in a lawsuit they filed against the RNC in Feb of 1982, this group got up to election shenanigans.

According to the DNC, the National Ballot Security Task Force sent mail to Black and Hispanic people with the instruction for the post office to not forward any mail undelivered to the original address, but rather return it to sender (them).

They then used the returned mail to create a list of voters to challenge during the general election. They got around 45,000 names for their challenge list. They then took those lists to Commissioners of Registration and asked that those names be removed from voter rolls.

This means if a Black voter changed addresses and the RNC found out about it, they tried to prevent them from voting. Bad, right? It gets worse, because they also hired county deputy sheriffs and local police officers to patrol the targeted Black and Hispanic polling places.

They put up signs warning the area was being patrolled by National Ballot Security Task Force, they wore armbands and guns. They stopped and questioned prospective voters and harassed and physically restrained poll workers.

This isn't just voter suppression, it's intimidation.

The DNC went as far as to call them an ‘Army of workers’ in the complaint. You can read the complaint in its entirety here. I suggest you do. It's short and you will get the gist pretty quick. It is foundational for the next part of this thread.

<https://t.co/hy20jreCtN>

I know, right?! Ok, so in the first tweet, I mentioned the words CONSENT DECREE. After the DNC brought that lawsuit against the RNC we just talked about up there ■■■, we arrive back where we started on November 1, 1982.

Here is the Consent Decree.

<https://t.co/yccyXcPG8b>

The Consent Decree is essentially the settlement agreement entered into between the DNC and RNC, and was submitted to the court. The RNC agreed to refrain from any 'ballot security activities in polling places...

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WHEREAS, the parties wish to resolve amicably all matters raised or which could have been raised in the pleadings in the above-entitled matter,

NOW THEREFORE, in consideration of the foregoing, in consideration of the mutual covenants and conditions herein contained, and for other good and valuable consideration, the parties hereto agree as follows:

1. The undersigned plaintiffs agree to consent to the entry of an order dismissing their Amended Complaint against all Defendants, without costs, with all parties bearing their own attorneys' fees,
2. The RNC and RSC (hereinafter collectively referred to as the "party committees") agree that they will in the future, in all states and territories of the United States;
  - (a) comply with all applicable state and federal laws protecting the rights of duly qualified citizens to vote for the candidate(s) of their choice;
  - (b) in the event that they produce or place any signs which are part of ballot security activities, cause said signs to disclose that they are authorized or sponsored by the party committees and any other committees participating with the party committees;
  - (c) refrain from giving any directions to or permitting their agents or employees to remove or deface any lawfully printed and placed campaign materials or signs;
  - (d) refrain from giving any directions to or permitting their employees to campaign within restricted polling areas or to interrogate prospective voters as to their qualifications to vote prior to their entry to a polling place;
  - (e) refrain from undertaking any ballot security activities in polling places or election districts where the racial or ethnic composition of such districts is a factor in the decision to conduct, or the actual conduct of, such activities there and where a purpose or significant effect of such activities

'...or election districts where the racial...composition is a factor in decision...to deter qualified voters from voting.'

They also agreed to lose the armbands, the guns, the signs and they could no longer deputize private personnel as law enforcement.

is to deter qualified voters from voting; and the conduct of such activities disproportionately in or directed toward districts that have a substantial proportion of racial or ethnic populations shall be considered relevant evidence of the existence of such a factor and purpose;

(f) refrain from attiring or equipping agents, employees or other persons or permitting their agents or employees to be attired or equipped in a manner which creates the appearance that the individuals are performing official or governmental functions, including, but not limited to, refraining from wearing public or private law enforcement or security guard uniforms, using armbands, or carrying or displaying guns or badges except as required by law or regulation, in connection with any ballot security activities; and

(g) refrain from having private personnel deputized as law enforcement personnel in connection with ballot security activities.

3. The party committees agree that they shall, as a first resort, use established statutory procedures for challenging unqualified voters.

4. This Settlement Agreement, and the terms of the Consent Order to be entered pursuant thereto, shall bind the DNC, DSC, RNC, and RSC, their agents, servants and employees, whether acting directly or indirectly through other party committees. It is expressly understood and agreed that the RNC and the RSC have no present right of control over other state party committees, county committees, or other national, state and local political organizations of the same party, and their agents, servants and employees.

5. The parties to this Settlement Agreement shall ask that the New Jersey legislature institute an examination of the provisions of the New Jersey Election Laws to determine whether present laws are adequate to insure the integrity of the electoral process and the physical security of poll workers and their property in New Jersey.

6. All parties agree that they shall bear their own costs and attorneys' fees and further agree that they shall not

Let's recap. The Republicans tried to stop Black and Hispanic voters from voting through voter intimidation. They got caught. They entered into a Consent Decree to no longer show up to the polls with guns or show up dressed like an 'Army' to intimidate voters.

This was in 1982.

That Consent Decree had been in place for longer than some of you reading this have been alive. Joe...please tell me that you misspelled has...that you meant the Consent Decree 'has' been in place for longer than some of us have been alive.

I'm sorry, I wish I could...

On December 1, 2009, the Consent Decree was modified. One of the modifications was to set a date for the Consent Decree to expire on December 1, 2017. If the DNC could not show the RNC was in violation of the Consent Decree as modified, it would expire.

<https://t.co/ExL7p1Y7s3>

- (5) The Consent Decree shall not apply to any initiative undertaken by the RNC that does not have as at least one of its purposes the prevention of either fraudulent voting or fraudulent voter registration. Such programs include any effort undertaken by the RNC, or by any state or local Republican entity with which it coordinates, to increase the number of individuals that cast a ballot in any election, including registering voters pursuant to applicable state statutes or encouraging voters to visit the polls (“get out the vote”) on either Election Day or a day on which they may take advantage of state early voting procedures.
- (6) The Consent Decree shall expire, and the entirety of its terms shall become null and void, on December 1, 2017, eight years after the date of this Order. If during the period between today’s Order and December 1, 2017, the DNC proves by a preponderance of the evidence that the RNC has violated the terms of the Consent Decree, the Decree shall be extended for eight years from the date of that violation.

On Jan 18, 2018 a hearing was held via telephone. The DNC failed to convince the judge that the RNC was in violation and therefore the judge ruled that the Consent Decree would be expired. As of Dec 1, 2017, the RNC is no longer bound to the agreement.

<https://t.co/yelqf4zB4v>

parties, as well as the oral argument of both parties during a January 8, 2018 telephone conference; and because the DNC did not prove, by a preponderance of the evidence, a violation of the Consent Decree before December 1, 2017; and for the reasons stated on the record; and for good cause shown,

IT IS on this 8th day of January 2018,

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**ORDERED** that the Consent Decree is terminated as of December 1, 2017; and it is further

**ORDERED** that the Clerk of the Court shall close this matter.



Now let's for a moment sit back, drop our gaze and come to the realization that the very next general election that would take place after the expiration of the Consent Decree on Dec 1, 2017 would be the 2020 Presidential election.

Take a deep breath. In...out...

The protections that had been in place since 1982 had all fallen by the wayside just in time for Hair Fewer's re-election campaign. And the campaign seemed almost giddy about it. Enter trump campaign lawyer Justin Clark.

<https://t.co/SwY1TIJaHZ>



"The process is different in every state. There's a lot of rules to keep them all straight. You need a good lawyer who understands that. But then you also need someone who's actually kind of done it," said Mike DuHaime, who has known Clark for a decade, working on multiple Republican campaigns with him.

Clark has mostly flown under the radar. But late last year, a speech he gave to a group of Republican lawyers in Wisconsin was caught on tape and distributed by a liberal opposition research group. In the speech, he praised the state's voter ID laws, which voting rights advocates and Democrats say suppress the vote, especially of people of color. Clark also outlined a major difference in how Republicans are approaching Election Day in 2020, after a consent decree was lifted that had prevented the Republican Party from doing poll watching and other Election Day operations. The Trump campaign and the Republican National Committee now plan to have an army of volunteers and lawyers on hand in key precincts.

"Traditionally, it's always been Republicans suppressing votes in places," Clark said on the tape. "And let's start protecting our voters. We know where they are now. We know where they are. They're all in one part of the state. And all their voters are in one part of the state. So let's start playing offense a little bit."

It sounded like he was saying Republicans work to suppress the vote, but Clark and the campaign have insisted that his remarks were misunderstood and that he was just talking about false allegations leveled against the Republican Party.

Regardless, as Clark said, Republicans are going on legal offense this year when it comes to Election Day operations and beyond.

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'Army' of poll watchers? End of a Consent Decree? Let's start playing offense? Key precincts?

Well, it's just the campaign lawyer saying that. It's not like trump went on Hannity and talked specifically about having sheriffs and law enforchrissake■■■

<https://t.co/47LNTcYqTS>

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HPESTER

Mr Trump has signalled an unprecedented voter suppression and intimidation effort by urging supporters to menace voters at the polls and suggesting he could invoke the Insurrection Act to quash election-related protests.

Last month, he told Fox News host Sean Hannity: “We’re going to have sheriffs, and we’re going to have law enforcement, and we’re going to have, hopefully, US attorneys, and we’re going to have everybody and attorney generals [sic]” monitoring polls and at polling stations across the US.

32 Photos of Bald Celebrities When They Had Hair

Men's Health

jr. weighed in on that article.

Covid caused an increase in the use of mail-in ballots so less people were at the polls, therefore we didn't see the National Ballot Security Task Force or whatever trump branded version of same.  
Which means?

It means that the 2022 mid-terms will truly be the first test. States are forcing voters back to the polling sites by restricting or even eliminating mail-in ballot usage. There are no protections. But there are plenty of groups out there doing 'Election Integrity' work.

Election Integrity was recommended to RNC (■1). The infrastructure is available. For instance, CPI's Election Integrity Network, there's True the Vote, trump has recently been referencing them at his rallies, and amicus briefer Honest Elections Project.

<https://t.co/7EIQmxL3KD>

## MOTION FOR LEAVE TO FILE *AMICUS CURIAE* BRIEF

Pursuant to Supreme Court Rule 37.2(b), the Honest Elections Project respectfully moves for leave to file the accompanying *amicus* brief in support of Petitioner. As required under Supreme Court Rule 37.2(a), all parties were timely notified of Honest Elections Project intent to file this *amicus* brief. Petitioner consented. Petitioner consented. Respondent Potter County Board of Elections and Respondents Boards of Elections of Carbon, Monroe, Pike, Snyder, and Wayne Counties did not consent. All other Respondents either consented to the filing of this *amicus* brief, did not oppose, or did not respond to counsel's notice and request for consent.

The Petition for Certiorari presents questions of profound consequence to the constitutional order and to the administration of presidential elections. Petitioner requests that the Court handle these questions on a highly expedited basis and resolve them in advance of the 2020 elections. The Court would benefit from briefing on these questions from any and all interested *amici curiae*.

The accompanying brief examines the text, history, and precedent interpreting the Electors Clause of Article II and the Elections Clause of Article I and explains why state legislatures are vested with plenary authority that cannot be divested by state constitution to determine the times, places, and manner of

Well...actually, Honest Election Project is a fictitious name. No I mean it, it is literally a fictitious name according to the VA Secy of State. The real name is something called the Judicial Education Project, except it isn't that either it is the 85 Fund.





SCC888N  
(12/19)

COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION

Commonwealth of Virginia  
State Corporation Commission  
Office of the Clerk  
Entity ID: 06288435  
Filing Number: 200131294892  
Filing Date/Time: 01/31/2020 12:22 PM  
Effective Date/Time: 01/31/2020 12:22 PM

ARTICLES OF AMENDMENT

**CHANGING THE NAME OF A VIRGINIA NONSTOCK CORPORATION**  
**By Unanimous Consent of the Members or by the Directors Without Member Action**

The undersigned, on behalf of the corporation set forth below, pursuant to § 13.1-888 of the Code of Virginia, executes these articles and states as follows:

1. The current name of the corporation is Judicial Education Project
2. The name of the corporation is changed to The 85 Fund
3. The foregoing amendment was adopted on 12/19/2019 (date) (mark appropriate box):
  - ☐ By the unanimous consent of the members with voting rights.
  - OR**
  - ☒ By a vote of at least two-thirds of the directors in office. Member action on the amendment was not required because (mark appropriate box):
    - ☒ There are no members:

According to a @SenWhitehouse hearing on March 10, 2021, Honest Elections Project is tied to the GOP's Supreme Court Justice conveyor belt Leonard Leo. Which, I imagine, means the HEP is probably pretty well funded. Or is it the Law and Policy forum?

<https://t.co/8glC6FAGTw>

- **Rule of Law Trust.** As Wellspring was being closed down, Neil Corkery created this group in 2018.<sup>32</sup> Leo is listed as its only trustee, and almost all its known expenses are related to BH Group reimbursements, another Leo group. Rule of Law Trust brought in three contributions (possibly from one, two, or three individuals) totaling \$80 million in 2018. It distributed two grants in 2019: \$500,000 to People United for Privacy and \$895,000 to America Engaged.
- **America Engaged.** Leo is this group's president, and Bunch is a director. Other board members are C. Boyden Gray and Todd Graves, a former state attorney general. It has given nearly \$4 million to Charles Koch's Freedom Partners. In 2017, it gave nearly \$1 million to the NRA as it backed Gorsuch.<sup>33</sup>
- **Judicial Education Project/85 Fund.** This is a Neil Corkery entity tied to Leo. JEP's other fictitious names are the "Law and Policy Forum" and the "Honest Elections Project" (HEP), which has been criticized for peddling voter fraud claims. JEP has filed amicus briefs in Severino's name siding with Trump on emoluments, and in cases on abortion, the Affordable Care Act, Deferred Action for Parents of Dreamers, the Voting Rights Act, and attacks on workers.<sup>34 35</sup>
- **BH Group, LLC.** This was created by Corkery after Scalia died. As of the last known publicly filing, Leo controls 35% of it, and he has been listed as an employee.<sup>36 37</sup> Since 2016, it received \$2.37 million from JCN and \$2 million from JEP. It also contributed \$1 million to Trump's inauguration. Wellspring gave it over \$1.5 million for PR, yet it does not have a website.<sup>38</sup>

<sup>32</sup> Robert Maguire, "\$80 million dark money group tied to Trump Supreme Court advisor, Leonard Leo,"

Are we equipped to deal with this? The GOP voted against HR1 which was a bill to actually have election integrity. 2 Dems wouldn't change the legislative filibuster for this bill.

There is no Consent Decree in place to stop shenanigans.

■1 - I'm sure if we just put our trust in the RNC to be cool, we'll have nothing to worry about...

Except on August 11, 2021, the RNC chair received this report. ■■■■■■■■

<https://t.co/OwixL6s60u>

The RNC also acknowledges the need to improve and develop its election integrity efforts. Because of the *DNC v. RNC* Consent Decree,<sup>1</sup> the RNC had been shut out of most election integrity efforts for nearly four decades, which led to a lack of institutional knowledge to conduct election integrity operations. Like any new undertaking, practice makes perfect, and listening to the concerns of voters and allies is absolutely necessary if the RNC is to lead on these issues. While any shortcomings in the party's 2020 efforts are not for a lack of effort, the RNC recognizes the tens of millions of Republican voters in the country need to be confident that the national party is working hard to protect elections and ensure the candidate with the most lawful votes wins.

The fate of the Republic rests on ensuring Americans have confidence in the integrity of elections. Unfortunately, the Democrat Party has long since abandoned any lip service to supporting policies that protect integrity, and instead have turned to lawsuits and fearmongering in attacking commonsense laws that states have passed to fix problems and shore up systemic weaknesses in our elections. Fortunately, the American people broadly

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<sup>1</sup> For nearly 40 years, the RNC was effectively prevented from engaging in election integrity activities due to a court-enforced consent decree from litigation the DNC filed against the RNC for allegations involving voter intimidation and other issues related to the 1981 New Jersey Gubernatorial election.

support these efforts: 63% of all voters report that election integrity is a top issue when

None of this may not be top of mind for voters or reporters, but it really feels like it should be. The Election to Save Democracy is this November, confirm you're registered and vote.

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