

November 5, 2014

Back to the subject of the Wisconsin prosecutor's harassment of Gov. Scott Walker, Stuart Taylor reports some Democrats are becoming uneasy with the witch hunt. *Milwaukee County Sheriff David A. Clarke Jr. has accused District Attorney John Chisholm, a fellow Democrat, of "abuse of prosecutorial power" in the relentless criminal investigation of Republican Wisconsin Gov. Scott Walker and 29 conservative groups.*

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Jonathan Tobin posts on this year's race baiting by Dems.

*With the midterm campaign coming down to its last days, its been clear for weeks that the only way Democrats believe they can save some of their endangered red-state Senate incumbents is to play the race card. Both Louisiana's Mary Landrieu and North Carolina's Kay Hagan have sought to identify Republicans with racism and even, in Hagan's case, with the killing of Trayvon Martin or the Ferguson, Missouri shooting, in order to mobilize African-American voters. While these tactics are based on outrageous slanders, the decision to play the race card is logical if not scrupulous. ...*

*... Waving the bloody shirt of Ferguson seems like a good idea to those who believe, not wrongly, that many African-Americans view such incidents as evidence of the enduring legacy of the nation's history of racism. But the line between sending subtle hints about such issues and outright race baiting has clearly been crossed when, as Hagan did, Republicans are falsely accused of playing a role in killing young African-Americans. Nor did Landrieu do herself any favors by publicly complaining about the treatment of blacks and women in the contemporary south. ...*

*... Thus, even if these tactics work to turn out blacks—and it is by no means clear that it will come anywhere close to the 2012 levels that Democrats desperately need—the party may be doing itself real damage with the public in ways that will harm their presidential candidate in 2016. As with other misleading memes they have beat to death, such as the spurious war on women that Republicans are supposed to be waging, Democrats are finding that they are fast exhausting the*

*electorate's patience and are running out of ideas. As much as playing the race card seems like a foolproof if unsavory tactic, it may not be as smart a move as they think it is.*

How much has the president hurt the Democrats? [Michael Barone](#) has answers. Couldn't happen to a nicer bunch.

*Before the election results are in, and keeping in mind that there may be some unpleasant surprises for one party or the other — or both — it's possible to assess how the Democratic Party has fared under the leadership of President Obama. To summarize the verdict: not so well.*

*By one metric it has done very badly indeed. When Obama took the oath of office in January 2009, there were 257 Democrats in the House of Representatives. Going into this election there are 201 (including two vacant Democratic seats).*

*Psephologists universally agree Democrats will suffer a net loss of House seats, for reasons explained in an [earlier column](#) in this space. That will leave them with a number probably somewhere in the 190s.*

*That means a loss of something like 60 seats — far more than the parties of George W. Bush after six years (19 seats), and slightly more than Bill Clinton at this stage (47 seats).*

*House race results are particularly meaningful because in the past two decades, much more than in the 1970s and 1980s, Americans are voting straight tickets. Party performance in House elections is a pretty good indicator of support of a party and (when it has one) its president. ...*

**[Thomas Sowell](#)** on voter fraud.

*One of the biggest voter frauds may be the idea promoted by Attorney General Eric Holder and others that there is no voter fraud, that laws requiring voters to have a photo identification are just attempts to suppress black voting.*

*Reporter John Fund has written three books on voter fraud and a recent survey by Old Dominion University indicates that there are more than a million registered voters who are not citizens, and who therefore are not legally entitled to vote.*

*The most devastating account of voter fraud may be in the book "Injustice" by J. Christian Adams. He was a Justice Department attorney, who detailed with inside knowledge the voter frauds known to the Justice Department, and ignored by Attorney General Holder and Company.*

*One of these frauds involved sending out absentee ballots to people who had never asked for them. Then a political operator would show up — uninvited — the day the ballots arrived and "help" the voter to fill them out. Sometimes the intruders simply took the ballots, filled them out and forged the signatures of the voters.*

*These were illegal votes for Democrats, which may well be why Eric Holder sees no evil, hears no evil and speaks no evil. ...*

**Ed Meese and Ken Blackwell** with a column in USA Today on how to prevent election fraud.

*Once upon a time, Americans got together on Election Day, went to the polls, and chose our leaders. Voting on the same day helped bind us together as self-governing citizens in a free republic. It even felt like a national holiday — Independence Day without the fireworks.*

*Except for those traveling or who are infirm and who can use absentee ballots, Election Day puts everyone in the same boat. As a civic exercise in equality, it is unparalleled. It has the added advantage of making vote fraud more difficult, since there is a very short window in which to commit it.*

*But over the past few decades, election laws have been relaxed in the name of convenience, with "reforms" such as early voting, same-day registration, Sunday and evening voting hours, no-excuse absentee voting and allowing out-of-precinct ballots. All of these increase the possibility of vote fraud.*

*At the same time, despite a clear mandate in the National Voter Registration Act (also known as the Motor Voter Law) to keep accurate registrations, the system has grown lax; election authorities have left millions on the voter rolls who should not be there.*

*A 2012 study by the Pew Center on the States found 1.8 million deceased people were registered to vote, and 24 million invalid or inaccurate registrations. An American Civil Rights Union (ACRU) review of voter rolls around the nation in 2013 found more than 200 counties with more voters registered than age-eligible, legal residents. The ACRU has won historic consent decrees in federal court requiring two Mississippi counties to clean up their voter rolls and is now litigating in Texas. ...*

**Ilya Somin** on the fact that liberal cities are the ones with less affordable housing.

*... Why do liberal cities enact policies that often making housing unaffordable for the poor and much of the middle class? The cynical explanation is that "limousine liberal" voters only pretend to care about affordable housing for the poor and the middle class, but in reality adopt zoning restrictions to keep home prices up and prevent the riffraff from living near them. Such motives may be present in some cases. But, on most issues, there is little correlation between political views and measures of narrow self-interest. It is therefore likely that most voters in liberal cities do genuinely care about affordable housing and the interests of the poor.*

*The virus that plagues our body politic is not selfish voting, but ignorant voting. Like their conservative counterparts, most liberal voters don't think carefully about the possible negative side effects of their preferred policies. Just as most of them do not realize that rent control diminishes the stock of housing, they also may not realize that zoning restrictions diminish it, and thereby increase housing costs.*

*Conservative voters have their own characteristic patterns of economic ignorance. Both sides tend to ignore or even blatantly misinterpret evidence that cuts against their preferred views – especially if the evidence or the reasoning behind it is counterintuitive. To a considerable extent, the high cost of housing in liberal cities is yet another negative effect of widespread political ignorance. ...*

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## Legal Newsline

### [Sheriff says Dem prosecutor is on a 'witch-hunt' against Wis. Gov. Walker](#)

by Stuart Taylor

MILWAUKEE (Legal Newsline) – Milwaukee County Sheriff David A. Clarke Jr. has accused District Attorney John Chisholm, a fellow Democrat, of "abuse of prosecutorial power" in the relentless criminal investigation of Republican Wisconsin Gov. Scott Walker and 29 conservative groups.

Clarke's forceful public criticism is of Chisholm and the so-called "John Doe" investigation that Chisholm has pursued since 2010 against Walker, his staff and virtually every conservative advocacy group in the state.

Clarke, who has been sheriff since 2002 and is running for re-election on Tuesday as the Democratic nominee, has been elected and re-elected with heavy support both from fellow African-Americans and from conservatives.

Clarke said that he agreed with a [petition seeking appointment of a special prosecutor](#) to investigate Chisholm. The petition was filed on Sept. 26 by a major Chisholm target, conservative fundraiser Eric O'Keefe.

While Clarke and Chisholm are both Democrats, the iconoclastic sheriff has often clashed with the more liberal Democrats who dominate Milwaukee politics, [including Chisholm](#).

"This will go down as one of the ugliest chapters in Wisconsin political history" Clarke told this reporter. "This is a witch-hunt by a hyper-partisan prosecutor's office ... to go after political adversaries they disagree with."

Clarke said Chisholm has been evasive responding to whistleblower Michael Lutz's allegations that Chisholm had exuded improper personal and political bias against Walker in a private conversation in March 2011. Chisholm "didn't answer the questions," Clarke said, referring to an [Oct. 8 letter in which Chisholm urged](#) Milwaukee Chief Judge Jeffrey Kremers to reject O'Keefe's petition, which had relied heavily on the questions raised by Lutz's allegations.

He said he had regarded Chisholm as a "standup guy" years ago when, as a police captain, Clarke worked with then-Assistant District Attorney Chisholm on gun cases.

But as he learned about the nature of the Chisholm's investigation of the Wisconsin Democratic Party's political rivals, Clarke said, "I was appalled by some of the stuff that had gone on in the John Doe investigation, and that image I had of Chisholm as a person of unquestioned integrity started unraveling."

The investigation started in 2010 based on a report by then-Milwaukee County Executive Walker's staff that reported a minor theft from a charity fund.

Soon, Clarke said, "It became, 'Let's see what we can find,' without any allegation. When you get prosecutors abusing their power, they can take out anyone. I'm a Democrat, but what if he says, 'Let's go get Clarke?' They can ruin your life."

Clarke stressed what he said had been politically motivated leaks by Chisholm's office of confidential information about the John Doe investigation to embarrass Republicans including Walker.

"John said his office didn't originate the leaks," Clarke said. "Who else would have leaked it? They're the only ones who had the information. I'm surprised as well that John Chisholm never displayed any concern or disgust that there were leaks coming out of... his own staff."

Indeed, Clarke added, "You would think he'd shut the investigation down," it's so tainted.

Chisholm and his lawyer, Samuel Leib, have not responded to an emailed request for comment.

More generally, Clarke complained, while Chisholm was a good, tough prosecutor before becoming district attorney, he has since "turned more liberal" and soft on crime. "I don't recognize him," Clarke said. "He became 'part of that revolving-door justice system that's had terrible effects on minority communities.'"

Clarke described himself as a "conservative Democrat, strong on national defense, strong on safe streets. I believe the Constitution protects individuals not groups. I believe in limited government and I believe in the powers of the states."

His calls for citizens to have guns for self-defense have made him something of a hero to many on the Republican right.

After four years of investigation, Chisholm and his fellow prosecutors have ordered predawn raids by armed officers on the homes of conservative activists; seized their documents, computers and cell phones while their children were getting dressed for school; subpoenaed hundreds of thousands of documents from dozens of conservative groups; routinely obtained gag orders barring targets and witnesses from revealing what has been done to them; won a few minor convictions but failed to find evidence sufficient to charge Walker, indeed any prominent conservative, with any crime.

The issue currently at the heart of the investigation is whether the collaboration of conservative issue-ad groups with Walker's campaign in a 2012 recall election violated Wisconsin's campaign finance laws against "illegal coordination," as Chisholm has suggested.

Chisholm's conservative targets say that their conduct complied with Wisconsin law, was protected by the First Amendment and was indistinguishable from the conduct routinely engaged in by Democratic candidates, groups and unions.

[Both a state and a federal judge have ruled](#) that none of the conduct under investigation appears to have been illegal. Those decisions are on appeal.

Chisholm, who launched the probe of Walker in 2010 and has staffed it with own his assistants, has conducted it since last year in conjunction with Special Prosecutor Francis Schmitz, now the titular head of the investigation, and the state's Government Accountability Board.

Chisholm's Oct. 8 letter stressed that Schmitz is not a Democrat and the GAB is required by law to be nonpartisan.

Clarke's view that Chisholm was a good prosecutor who became "hyper-partisan" is strikingly similar to that of the whistleblower Lutz, the former Chisholm subordinate and decorated former police officer who has accused Chisholm of privately exuding strong personal and political bias against Walker.

"I admired him greatly," as a friend and a mentor, Lutz has told this reporter, explaining that he was very friendly with both John and Colleen Chisholm because her brother had been Lutz's police partner and best friend.

But during the bitter partisan battle in the winter of 2011 over Walker's successful push to break the power of the state's public-sector unions, Lutz said, "it was surprising how almost hyper-partisan he became."

During a private meeting in Walker's office in March 2011, according to Lutz, when he was serving as an unpaid "public interest special prosecutor," Chisholm ordered him to reject a request by Republican Wisconsin Supreme Court Justice David Prosser that Lutz tape a pre-election video praising a Prosser decision that Lutz admired as good for police.

Chisholm's reasons, as recalled by Lutz, were blatantly political: "He didn't want Prosser to decide on" the inevitable legal challenge to Walker's union-curbing legislation and he "wanted to stay as far away from these Republicans as he can."

Chisholm also said, according to Lutz, that his wife Colleen, a teachers union shop steward, had been so angry and upset by Walker's union-curbing as to be repeatedly moved to tears; that she had joined union demonstrations against Walker; and – most important – that Chisholm "felt it was his personal duty to stop Walker from treating people like this."

At the same time, Lutz added, many of Chisholm's unionized staff acted "like an anti-Walker cabal," with some posting blue fists as anti-Walker symbols on office walls.

Lutz's reward "for telling the truth," he has said, was that the Milwaukee *Journal Sentinel* hunted him down; exposed him as this reporter's source despite his fear of retaliation and despite his prior role as a source for *Journal Sentinel* reporters; and dishonestly smeared him as a dangerous drunk with a troubled past.

In particular, the newspaper has repeatedly accused Lutz of making a drunken "death threat" in 2013 against Chisholm and his family.

This despite the facts that Chisholm himself has never claimed publicly that Lutz threatened him; that Lutz has dismissed the "death threat" allegation as a gross distortion of an angry but well-intentioned phone message intended to prevent a suicide; and that the much-decorated former cop, who earned a law degree after being disabled by a gunshot wound, has many admirers in the police department.

Clarke, under whom Lutz worked years ago when Clarke was a Milwaukee police captain, described him on Tuesday as "respected by peers as an active officer" who was "committed to public safety."

Clarke added that "the Milwaukee *Journal Sentinel*, having a dog in this fight, went in typical fashion to smear Lutz's reputation." He called the newspaper "a wholly-owned subsidiary and a propaganda machine for the Democratic Party in Milwaukee."

Partisan bias, Clarke implied, may also explain why the *Journal Sentinel* appears determined to obscure that Chisholm has never specifically denied any of Lutz's allegations about their March 2011 meeting.

Chisholm's most recent non-denials came in his nine-page Oct. 8 letter to Judge Jeffrey Kremers, which was made public on Oct. 25. It rejected in detail various allegations by O'Keefe and his lawyers of criminal abuses of prosecutorial power – without mentioning Lutz or his allegations.

Rather, in apparent allusions to O'Keefe's heavy reliance on those allegations, Chisholm wrote:

"Supposed 'new' information is now offered in the form of statements by persons who have no personal knowledge of which they speak...

"Plain and simple, words like 'Act 10' or 'union' and phrases like 'stop Walker' have never been uttered by me or anyone else *in the course of any investigation*."

"Those who know my wife know she is not inclined to tears or emotional distress. She is a strong woman with political views of her own, views that play no role in any decision I make as prosecutor."

While many readers might infer that Chisholm's letter contradicted Lutz's allegations, in fact, as Clarke noted, it was carefully drafted to avoid denying a single one of them.

Chisholm's statement that his wife "is not inclined to tears" did not deny that he told Lutz that she was repeatedly moved to tears by Walker's Act 10. Nor did Chisholm deny, or even mention, his wife's alleged "hate for the gov.," her alleged role in union demonstrations against Walker, or even her role as a teachers union shop steward.

Still more striking is Chisholm's use of the phrase "in the course of any investigation" to qualify his assertion that he had never said anything like "stop Walker."

Because Chisholm's alleged private comments to Lutz were clearly *not* made "in the course of any investigation," Chisholm's letter did not deny them.

This omission is consistent with the DA's previous non-denials.

When this reporter sought comment in a Sept. 5 email about Lutz's allegations, the only response came from Samuel Leib, Chisholm's personal lawyer. He called them a "baseless character assault" that "is inaccurate in a number of critical ways," adding that "John Chisholm's integrity is beyond reproach."

Leib provided no specifics. He also ignored this reporter's follow-up email the same day requesting that he "identify specifically each of the 'number of ways' in which you contend the passage that I sent you is inaccurate."

Chisholm and Leib have also ignored an Oct. 3 email from this reporter containing [37 questions about Lutz's allegations](#).

The closest that Chisholm appears to have come to denying Lutz's specific allegations may have been on Sept. 10, when Jason Stein of the Milwaukee *Sentinel* reported that "in a brief interview, Chisholm denied making those comments."

But the article did not disclose what Chisholm had been asked, by whom, what had been his response, and which (if any) "comments" he *specifically* denied making.

So far as the public record discloses, the newspaper has never pressed Chisholm for a more specific response to Lutz's allegations.

Nor is there any public-record evidence that the *Journal Sentinel* has ever pressed Chisholm for access to the recording of the 2013 phone message in which – the newspaper has repeatedly claimed, based on a vague allegation by Leib – Lutz made a "death threat" against Chisholm and his family.

Neither Chisholm nor the *Journal Sentinel* has ever suggested a motive for Lutz to lie. He says that his motive has been to protect the freedom of speech – including his own First Amendment right to speak out in favor of Justice Prosser – by telling the truth about the political agenda driving Chisholm.

"I don't like what Chisholm has done," Lutz told this reporter, "in regard to political speech that he disagrees with."

Sheriff Clarke doesn't like it either. And when he heard Lutz detailing his allegations of prosecutorial bias in recent radio interviews, "I asked myself, 'What's in it for Mike Lutz to do this? He did it anonymously.' I don't see Mike having any agenda here."

## Contentions

### [Race-Baiting and the Democrats' Future](#)

by Jonathan S. Tobin

With the midterm campaign coming down to its last days, it's been clear for weeks that the only way Democrats believe they can save some of their endangered red-state Senate incumbents is to play the race card. Both Louisiana's Mary Landrieu and North Carolina's Kay Hagan have sought to identify Republicans with racism and even, in Hagan's case, with the killing of Trayvon Martin or the Ferguson, Missouri shooting, in order to mobilize African-American voters. While these tactics are based on outrageous slanders, the decision to play the race card is logical if not scrupulous. The coalition that elected Barack Obama to the presidency twice relies on huge numbers of minorities as well as young people and unmarried women turning out to vote. The outcome on Tuesday will be largely dependent on whether that turnout resembles the ones of 2008 and 2012 or that of 2010 when Republicans won a midterm landslide. But whether or not the Democrats' race-baiting tactics succeed, the real question facing the party is whether they are right to do so. And by that I don't refer to whether the decision to sink this low is ethical but whether it is smart.

The answer from Democratic operatives eager to preserve the party's Senate majority as well as to lay the foundation for another smashing presidential win in 2016 would probably be something along the lines of declaring that all's fair in love, war, and politics. If getting African-Americans to the polls requires cynically recycling racial incitement, then so be it. Moreover they see it as no

more nor less ethical than Republican hacks employing concerns over issues like gay marriage or immigration in order to get their base to turn out.

But just as Republicans have learned the lesson in recent election cycles that excessive pandering to social conservatives has unforeseen consequences in the form of damaging blowback with moderates and independents, so, too, Democrats need to be wary of becoming the party of race incitement.

Waving the bloody shirt of Ferguson seems like a good idea to those who believe, not wrongly, that many African-Americans view such incidents as evidence of the enduring legacy of the nation's history of racism. But the line between sending subtle hints about such issues and outright race baiting has clearly been crossed when, as Hagan did, Republicans are falsely accused of playing a role in killing young African-Americans. Nor did Landrieu do herself any favors by publicly complaining about the treatment of blacks and women in the contemporary south.

Both parties desperately need their bases to be enthusiastic about elections if they are to win. But both also need to remember that winning electoral majorities requires more than mobilization of true believers. Republicans have become obsessed with appeasing their core voters and paid for it at times by being slammed, often unfairly, as overly identified with extremists. But it seems never to occur to Democrats that over-the-top appeals to their base will exact a cost with the rest of the electorate.

In the past two years, we've heard a great deal of Democratic triumphalism about how changing demographics will ensure them an unshakable electoral majority for years, if not decades, to come. But as much as they certainly benefit heavily from the overwhelming margins they rack up among blacks and Hispanics, the notion that this alone will create a permanent Democratic hegemony in Washington is spurious. In the end, all parties must win over the vital center of the American public square. As Ronald Reagan proved, they need not sacrifice their ideology or their principles to do so. But when they go too far, they inevitably run aground.

That's the real danger of a reliance on race baiting for the Democrats. It's not just that African-Americans will grow tired of such obvious exploitation but that by linking themselves so firmly with such dubious tactics and extreme rhetoric, they drown out any reasoned arguments they might put forward for their party.

In 2008 and 2012, Democrats were able to rouse their base with positive messages of empowerment that revolved around the historic and deeply symbolic candidacies of Barack Obama while at the same time offering an effective if ultimately spurious promise of hope and change to the entire country. But in 2014, as Obama's popularity has waned and then collapsed, they are forced to do verbal gymnastics as candidates seek to distance themselves from the president and his policies while simultaneously seeking to appeal to minorities that still revere him with negative race-based slurs about Republicans.

Thus, even if these tactics work to turn out blacks—and it is by no means clear that it will come anywhere close to the 2012 levels that Democrats desperately need—the party may be doing itself real damage with the public in ways that will harm their presidential candidate in 2016. As with other misleading memes they have beat to death, such as the spurious war on women that Republicans are supposed to be waging, Democrats are finding that they are fast exhausting the electorate's patience and are running out of ideas. As much as playing the race card seems like a foolproof if unsavory tactic, it may not be as smart a move as they think it is.

## Examiner

### Obama will leave the Democrats in shambles

by Michael Barone

Before the election results are in, and keeping in mind that there may be some unpleasant surprises for one party or the other — or both — it's possible to assess how the Democratic Party has fared under the leadership of President Obama. To summarize the verdict: not so well.

By one metric it has done very badly indeed. When Obama took the oath of office in January 2009, there were 257 Democrats in the House of Representatives. Going into this election there are 201 (including two vacant Democratic seats).

Psephologists universally agree Democrats will suffer a net loss of House seats, for reasons explained in an [earlier column](#) in this space. That will leave them with a number probably somewhere in the 190s.

That means a loss of something like 60 seats — far more than the parties of George W. Bush after six years (19 seats), and slightly more than Bill Clinton at this stage (47 seats).

House race results are particularly meaningful because in the past two decades, much more than in the 1970s and 1980s, Americans are voting straight tickets. Party performance in House elections is a pretty good indicator of support of a party and (when it has one) its president.

It's true that Bill Clinton's party lost 12 Senate seats in his first six years, as opposed to only four for President Obama's — so far. But Democrats will come near to these losses if, as forecasters think likely, they lose their Senate majority, and even more if Republicans win almost all the close races.

Senate numbers in any case are a less reliable indicator of party strength, since there are fewer than three dozen races every cycle, compared to hundreds of House races.

Why has the Democratic Party fared so poorly under Obama's leadership? I can see two reasons: one ideological, one demographic.

Start with demographics. The Obama coalition, even more than Bill Clinton's, is based on overwhelming support from constituencies with some conflicting interests. It's a top and bottom coalition: he carried the very lowest and highest income and education groups, while his support sagged among those in the middle.

His strongest groups are blacks and gentry liberals — the same two groups he gathered together when he got to design his own state Senate district in 2002. Majorities of both groups still support him, but perhaps with diminished enthusiasm. Black crowds unexpectedly started walking out before he finished talking at recent events in Prince George's County, Md., and Milwaukee.

Moreover, the geographic clustering of blacks and gentry liberals in central cities, sympathetic suburbs and university towns puts the Obama Democrats at a disadvantage in equal-population districts where Republican voters are spread more evenly around.

Meanwhile, the thrill is clearly gone among two groups that backed him heavily in 2008 and 2012, and which will inevitably be larger parts of the electorate in the future: Hispanics and Millennials.

The latest Harvard Institute of Politics poll shows Obama approval among Millennials at 43 percent, not significantly higher than the national average. Those who said they were definitely voting favored Republicans over Democrats 51 to 47 percent. This among a group that voted 66 percent and 60 percent for Obama in 2008 and 2012.

The latest Pew Research Center poll showed Obama's approval among Hispanics a bit higher, at 49 percent. But that's far short of the 71 percent of Hispanic votes that Obama received in 2012.

Obama's majorities depended on his party winning Hispanics and Millennials by something like 2-to-1 margins. Democrats don't seem to be doing that this year.

That gets us to ideology. Bill Clinton was credited with competence and acceptable ideology, which made his party competitive in the early 2000s and well-positioned to take advantage of George W. Bush's perceived incompetence (Iraq, Katrina) in 2006 and 2008.

President Obama's ideology — expanded government, Obamacare — has been less widely acceptable and his reputation for competence is currently in tatters. He was able to eke out re-election with a reduced percentage by good organization. But he leaves his party in trouble.

Yes, Hillary Clinton leads in polls for 2016. But her numbers have been sagging. And other Democrats poll worse against not-very-well-known Republican alternatives than I can remember any party's potential candidates polling in the last half-century.

Predicting 2016 when 2014 isn't over is risky. But it looks like President Obama has left his party in worse shape than any president since Woodrow Wilson nearly a century ago.

## **Jewish World Review** **[Voter Fraud and Voter I.D.](#)**

by Thomas Sowell

One of the biggest voter frauds may be the idea promoted by Attorney General Eric Holder and others that there is no voter fraud, that laws requiring voters to have a photo identification are just attempts to suppress black voting.

Reporter John Fund has written three books on voter fraud and a recent survey by Old Dominion University indicates that there are more than a million registered voters who are not citizens, and who therefore are not legally entitled to vote.

The most devastating account of voter fraud may be in the book "Injustice" by J. Christian Adams. He was a Justice Department attorney, who detailed with inside knowledge the voter frauds known to the Justice Department, and ignored by Attorney General Holder and Company.

One of these frauds involved sending out absentee ballots to people who had never asked for them. Then a political operator would show up — uninvited — the day the ballots arrived and "help"

the voter to fill them out. Sometimes the intruders simply took the ballots, filled them out and forged the signatures of the voters.

These were illegal votes for Democrats, which may well be why Eric Holder sees no evil, hears no evil and speaks no evil.

As for race-based "voter suppression," amid all the political hysteria, how many hard facts have you heard? Probably none that supports that claim. Widely available free photo identification cards mean that poverty is no barrier to voting.

Since blacks and whites both have to show photo I.D. for everything from cashing checks to getting on a plane, why has requiring a photo I.D. for voting caused such shrill outcries?

Unfortunately, this is part of the cynical politics of promoting as much racial polarization and paranoia as possible, in hopes of getting more black voters to turn out to vote for the Democrats.

Nothing is too gross when promoting racial hysteria in an election year. Veteran Democrat Congressman Charlie Rangel from Harlem declared that Republicans "don't disagree — they hate!" According to Rangel, "Some of them believe that slavery isn't over and that they won the Civil War!"

Republicans did win the Civil War. That's why there is no more slavery. It was a Republican president who issued the Emancipation Proclamation. It was a Republican-controlled Congress that voted for the 13th Amendment, outlawing slavery.

In the 1960s, a higher percentage of Republicans than Democrats voted for the landmark Civil Rights Act of 1964 and the Voting Rights Act of 1965. If we are going to talk about history, let's at least get the facts right.

Only an utter ignorance of history, in this era of dumbed-down education, could allow demagogues like Rangel to get away with the absurdities that abound in election year politics.

Images of lynching and Jim Crow laws that made blacks sit in the back of buses are used against Republicans, even though the "solid South" was solidly controlled by Democrats during that era.

Bull Connor, who turned police dogs and fire hoses on civil rights demonstrators, was a Democrat. So were other Southern segregationists. In those days, you could go hundreds of miles through the Jim Crow South without seeing a single Republican official. That is why political observers called it "the solid South."

Perhaps the biggest voter fraud of all is the fraud against black voters, by telling them bogey man stories, in order to try to get them to come out on election day to vote for Democrats.

The most cynical of these bogey man ploys is Attorney General Holder's threats of legal action against schools that discipline a "disproportionate" number of black boys. Unless you believe that black boys cannot possibly be misbehaving more often than Asian American girls, what does this political numbers game accomplish?

It creates another racial grievance, allowing Democrats like Holder to pose as rescuers of blacks from racist dangers. The real danger is allowing disruptive students in ghetto schools to destroy

the education of other black students — in a world where education is the only hope that most ghetto youngsters have for a better life.

Sacrificing these young people's futures, in hopes of gaining some additional black votes today, is as cynical and fraudulent as it gets.

## USA Today

### How to Fraud-Proof Elections

***Reforms to make voting more convenient have opened up opportunities to game system.***

by Edwin Meese III and J. Kenneth Blackwell

Once upon a time, Americans got together on Election Day, went to the polls, and chose our leaders. Voting on the same day helped bind us together as self-governing citizens in a free republic. It even felt like a national holiday — Independence Day without the fireworks.

Except for those traveling or who are infirm and who can use absentee ballots, Election Day puts everyone in the same boat. As a civic exercise in equality, it is unparalleled. It has the added advantage of making vote fraud more difficult, since there is a very short window in which to commit it.

But over the past few decades, election laws have been relaxed in the name of convenience, with "reforms" such as early voting, same-day registration, Sunday and evening voting hours, no-excuse absentee voting and allowing out-of-precinct ballots. All of these increase the possibility of vote fraud.

At the same time, despite a clear mandate in the National Voter Registration Act (also known as the Motor Voter Law) to keep accurate registrations, the system has grown lax; election authorities have left millions on the voter rolls who should not be there.

A 2012 study by the Pew Center on the States found 1.8 million deceased people were registered to vote, and 24 million invalid or inaccurate registrations. An American Civil Rights Union (ACRU) review of voter rolls around the nation in 2013 found more than 200 counties with more voters registered than age-eligible, legal residents. The ACRU has won historic consent decrees in federal court requiring two Mississippi counties to clean up their voter rolls and is now litigating in Texas.

In Rhode Island, according to the *Providence Journal*, 20 of the Ocean State's 39 municipalities "from the largest city to the smallest town, had more registered voters than it had citizens old enough to vote." Rhode Island has about 770,000 adult citizens of whom 73.5%, or 566,000, are registered to vote, according to the U.S. Census. But 748,000 people are registered — a discrepancy of 182,000.

Perhaps this helps explain why the legislature, with heavy support from black lawmakers, was the only Democrat-controlled state to enact a photo voter ID law in 2011. When Democratic Gov. Lincoln Chaffee signed the bill into law, Democratic State Sen. Harold Metts issued this statement:

"As a minority citizen and a senior citizen I would not support anything that I thought would present obstacles or limit protections. But in this day and age, very few adults lack one of the forms of

identification that will be accepted, and the rare person who does can get a free voter ID card from the secretary of state. While I'm sensitive to the concerns raised, at this point I am more interested in doing the right thing and stopping voter fraud."

In 2008, American University surveyed registered voters in Maryland, Indiana and Mississippi and found that less than 0.5% lacked a government-issued ID. That flies in the face of the oft-quoted, absurd claim that 25% of minorities lack a valid photo ID.

The claim is that since black voters are more likely to be poor, they can't be expected to overcome inconveniences in the registration and voting process.

That is the same, soft bigotry of low expectations cited against photo voter-ID laws, which consistently have wide support. A Rasmussen Reports [national poll](#) of likely voters released in August found 74% approved of voter-ID laws, including 64% of blacks, 56% of Democrats and 76% of independents.

Besides opposing voter ID laws, the liberals have been championing same-day registration and early voting. Both make it easier to commit fraud, and they have other flaws, as noted by former Justice Department Voting Section attorney J. Christian Adams:

"Early voting produces less-informed voters. After they cast an early ballot, they check out of the national debate. They won't care about the televised debates, won't consider options, and won't fully participate in the political process. ... Early voting is extremely expensive. When election officials drag out an election for weeks, that means more poll workers, more broken machines, more salaries, more costs, more everything. ... Early voting doesn't increase turnout. Studies have shown that states that adopt early voting have no empirical turnout increase."

The left's latest push is online registration and online voting, in which people never even have to show up to register or to cast a ballot. Proponents argue that it could increase voter participation. But we see a highway to fraud getting ever wider.

It's time we ended early voting and same-day registration, enforced voter-ID laws, and restored Election Day's importance to all Americans.

*Edwin Meese III, former U.S. attorney general, and J. Kenneth Blackwell, who served as mayor of Cincinnati and secretary of state of Ohio, both serve on the Policy Board of the American Civil Rights Union.*

## **Volokh Conspiracy**

### **[Why more liberal cities have less affordable housing](#)**

by Ilya Somin

Derek Thompson of *The Atlantic* has [an interesting article](#) covering some of the reasons why, despite their ideological commitment to helping the disadvantaged, more liberal cities tend to have less affordable housing:

In general, richer cities have less affordable housing.

But there's a second reason why San Francisco's problem is emblematic of a national story. *Liberal* cities seem to have the worst affordability crises, according to Trulia chief economist Jed Kolko.

In a recent article, Kolko divided the largest cities into 32 "red" metros where Romney got more votes than Obama in 2012 (e.g. Houston), 40 "light-blue" markets where Obama won by fewer than 20 points (e.g. Austin), and 28 "dark-blue" metros where Obama won by more than 20 points (e.g. L.A., SF, NYC). Although all three housing groups faced similar declines in the recession and similar bounce-backs in the recovery, affordability remains a bigger problem in the bluest cities.

"Even after adjusting for differences of income, liberal markets tend to have higher income inequality and worse affordability," Kolko said.

Kolko's theory isn't an outlier. There is a deep literature tying liberal residents to illiberal housing policies that create affordability crunches for the middle class. In 2010, UCLA economist Matthew Kahn published [a study](#) of California cities, which found that liberal metros issued fewer new housing permits. The correlation held over time: As California cities became more liberal, he said, they built fewer homes.

The high cost of housing in liberal cities is in large part [caused by highly restrictive zoning rules](#), which in recent years have caused many [African-Americans](#) and [others](#) to move away from major northeastern cities to areas with less restrictive zoning and lower housing prices in the south and southwest.

Why do liberal cities enact policies that often making housing unaffordable for the poor and much of the middle class? The cynical explanation is that "limousine liberal" voters only pretend to care about affordable housing for the poor and the middle class, but in reality adopt zoning restrictions to keep home prices up and prevent the riffraff from living near them. Such motives may be present in some cases. But, on most issues, there is [little correlation between political views and measures of narrow self-interest](#). It is therefore likely that most voters in liberal cities do genuinely care about affordable housing and the interests of the poor.

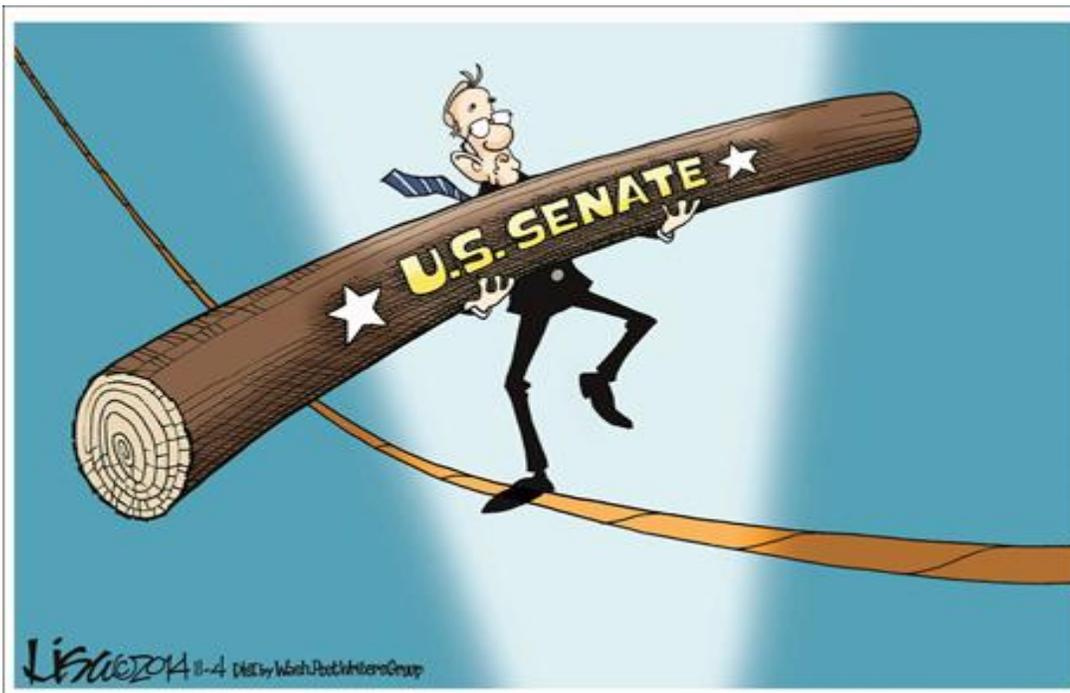
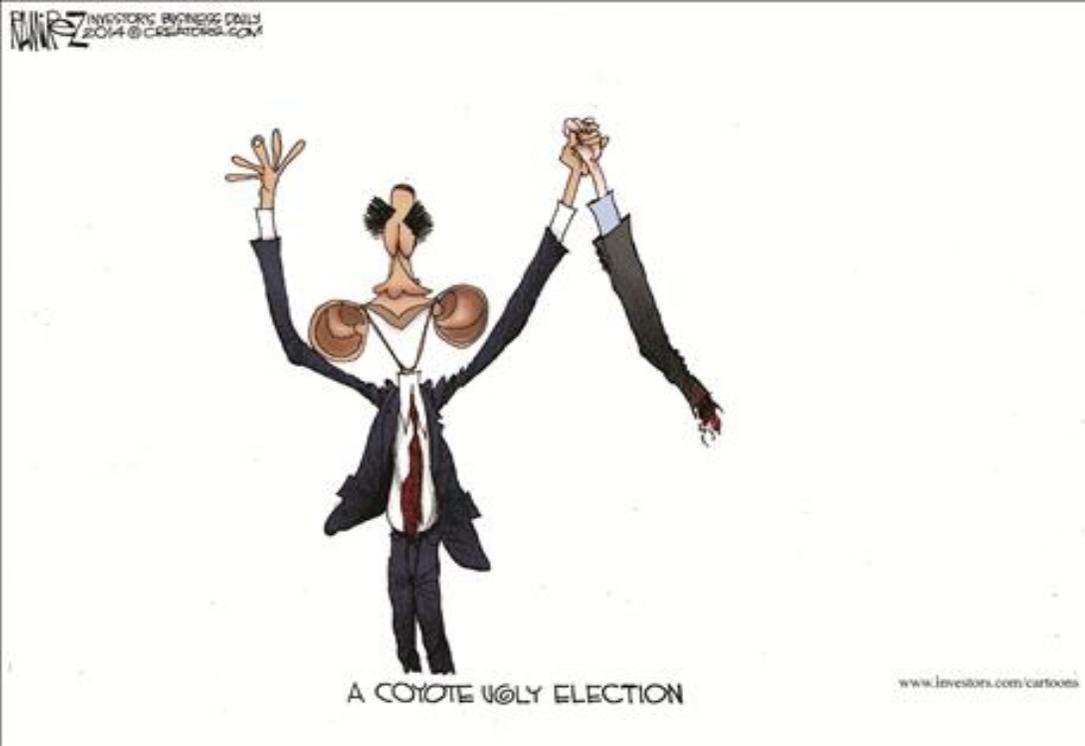
The virus that plagues our body politic [is not selfish voting, but ignorant voting](#). Like their conservative counterparts, most liberal voters don't think carefully about the possible negative side effects of their preferred policies. Just as most of them [do not realize that rent control diminishes the stock of housing](#), they also may not realize that zoning restrictions diminish it, and thereby increase housing costs.

Conservative voters have [their own characteristic patterns of economic ignorance](#). Both sides [tend to ignore or even blatantly misinterpret evidence that cuts against their preferred views](#) – especially if the evidence or the reasoning behind it is counterintuitive. To a considerable extent, the high cost of housing in liberal cities is yet another negative effect of [widespread political ignorance](#).

Well-meaning, but ill-informed voters are not exclusively to blame, of course. In many cases, development restrictions are also favored by influential narrow interest groups, such as developers with strong political connections. If it were easy for newcomers to build new housing and office space, these well-connected insiders would lose much of their competitive edge. Unlike ordinary voters, who [tend to be rationally ignorant about public policy](#), small organized interest groups have strong incentives to pay close attention to policies in which they have a major stake.

As is often the case with perverse regulatory policies, excessive zoning is in part the product of a ["baptist-bootlegger" coalition](#). Well-meaning, but badly misguided Baptists supported Prohibition

out of genuine moral concern about the harmful effects of alcohol. Meanwhile, bootleggers backed it because it put money in their pockets. Housing policy in liberal cities is influenced by a similar implicit unholy alliance between well-meaning progressive voters and unscrupulous economic interest groups.



OKAY...  
SO MAYBE MY  
PRESIDENCY WASN'T  
ALL IT WAS  
**QUACKED UP**  
TO BE...

