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NEWS

Thursday September 29, 2016

In the Thick of Election 2016

One of the people who may help decide the presidential election is on the fourth floor of the University of Dayton School of Law's Keller Hall.

Professor Emeritus and election expert Rich Saphire is part of an American Civil Liberties Union (ACLU) legal team working to restore Ohio voters purged from voter rolls.

The case — *Ohio A. Phillip Randolph, et al v. Husted* — is important for two big reasons, according to Saphire. First, the purged voters who cannot vote could have a clear effect on the election. Secondly, most of the purged voters affected are low-income and minority voters.

The United States Court of Appeals for the Sixth Circuit filed its opinion on the case last week. The judgment of the district court was reversed and the case is remanded for further proceedings.

"Our goal was to protect the rights of the clients and further the public interest by safeguarding what the Supreme Court has referred to as the most basic and precious of our rights as Americans — the right to vote," Saphire said.

In addition to Saphire, the legal team includes Dayton Law's Professor Paul Moke; Professor Dan Tokaji of the Ohio State University's Moritz College of Law; Freda Levenson and Elizabeth Bonham of the ACLU of Ohio; and Stuart Naifeh, Naila Awan and Cameron Bell of public policy organization Demos. Naifeh and Levenson were the trial counsel for the case and Naifeh argued the case for team. Saphire, Moke and Tokaji are working the case pro bono.

Several lawyers and law professors from the University of Cincinnati helped prepare the team with a pre-oral argument moot court.

"Although work still remains to assure the effective implementation of the decision, my experience working on this case represents a further validation of my decision to devote my career as a lawyer to work in the public interest," said Saphire, who attended college during the 1960s, a time noted for social unrest and reform-oriented activism.

Social reform and justice are what drew Saphire to work with the ACLU, whose mission is "to defend and preserve the individual rights and liberties guaranteed by the Constitution and laws of the United States."

"A commitment to justice entails a commitment to civil rights and civil liberties — including freedom of speech, association and religion, and equal protection and due process. Historically, the ACLU has been a preeminent leader in its concern for these issues and its efforts to work toward their realization," said Saphire. "Even assuming the good faith of election officials, the readiness of organizations like Demos and the ACLU to challenge legally problematic voting laws and policies will hopefully contribute to a more fair and reasonable system going forward."

Saphire's feels his work is consistent with the School of Law's mission.

"Dayton Law has long emphasized the importance of a lawyer's obligation to serve and further the public interest," Saphire said. "Voting rights work, regardless of an individual lawyer's personal political or social beliefs and commitments, represents a major opportunity to fulfill this obligation."

Saphire began teaching at the School of Law in 1976 and shares this advice with young legal professionals.

"Because of its complexity and legal sophistication, voting rights work can provide a tremendous opportunity for professional growth and challenge," he said.

You may even be able to change the outcome of a presidential election one day.

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