

Unsuccessful Suit to Stop Private Funding of a Federal Election in Minneapolis

Minnesota Voters Alliance v. City of Minneapolis
(Michael J. Davis, D. Minn. 0:20-cv-2049)

A federal complaint challenged a municipality's accepting private funds to help administer a federal election. The district judge ruled that the plaintiffs did not have standing to pursue the general grievance.

Subject: Voting Procedures. *Topics:* COVID-19; Help America Vote Act (HAVA); National Voter Registration Act.

“The City of Minneapolis is one of 22 Minnesota municipalities that applied for and was awarded a COVID-19 Response Grant from the Center for Tech and Civil Life to assist with the substantial costs entailed with administering an election during [the] global [COVID-19 infectious] pandemic.”¹

A September 24, 2020, federal complaint filed in the District of Minnesota alleged that it was unconstitutional for a municipality to accept private funds for its administration of the November 3 general election.² Five days later, the plaintiffs filed a motion for a temporary restraining order.³

Judge Michael J. Davis set the case for an October 15 videoconference hearing, posting on the docket sheet a telephone number for receiving dial-in instructions.⁴

On October 16, Judge Davis ruled that the plaintiffs did not have standing to bring the suit.⁵

Plaintiffs allege no injury to their right to vote caused by the City's actions. For example, nowhere do they allege that they will be unable to cast a ballot, or that they will be forced to choose between voting under unsafe pandemic conditions and not voting at all. The City's actions in applying for and accepting the grant and using the grant money to improve all manners of voting in Minneapolis in the 2020 election affect all Minneapolis voters equally. All individual Plaintiffs are Minneapolis voters. Plaintiffs fail to explain how they will be uniquely affected by Minneapolis's actions.⁶

The plaintiffs filed a voluntary dismissal on January 4, 2021.⁷

1. Opinion at 1–2, *Minn. Voters Alliance v. City of Minneapolis*, No. 0:20-cv-2049 (D. Minn. Oct. 16, 2020), D.E. 25, 2020 WL 6119937 (footnote omitted).

2. Complaint, *Minn. Voters Alliance v. City of Minneapolis*, No. 0:20-cv-2049 (D. Minn. Sept. 24, 2020), D.E. 1; *see* Amended Complaint, *id.* (Nov. 13, 2020), D.E. 29.

3. Temporary Restraining Order Motion, *id.* (Sept. 29, 2020), D.E. 7.

4. Docket Sheet, *id.* (Sept. 24, 2020) (D.E. 16); *see* Notice, *id.* (Oct. 6, 2020), D.E. 15.

5. Opinion, *supra* note 1; *see* Liz Navratil, *Judge Rules Mpls. Can Accept Election Grant*, *Minneapolis Star Trib.*, Oct. 18, 2020, at 3B.

6. Opinion, *supra* note 1, at 2.

7. Voluntary Dismissal, *Minn. Voters Alliance*, No. 0:20-cv-2049 (D. Minn. Jan. 4, 2021), D.E. 38.