


**New State Voting Laws
Barriers to the Ballot Box**

Denise Lieberman
Advancement Project
www.advancementproject.org



Who We Are

- Next-generation civil rights “action tank” that collaborates with communities of color on issues they care about
- We believe that sustainable progress comes when many tools are coordinated with grassroots movements – law, policy, analysis & strategic communications
- We create change by:
 - Supporting coalitions that bridge divisions
 - Building new tools for a national movement
 - Reforming public institutions




Barriers to the Ballot Box

The US is still a long way from ensuring that every eligible voter is able to cast a ballot that will be counted.

Barriers include:

| | |
|-----------------------|---------------------------------------------------|
| • Voter Registration | • Voter ID |
| • HAVA Matching | • Polling Place Resources |
| • Provisional Ballots | • Poll Worker Training |
| • Voter Caging | • Unauthorized Purging |
| • Voter Challenges | • Disqualifications for those with felony records |

- Voters of color are disproportionately affected

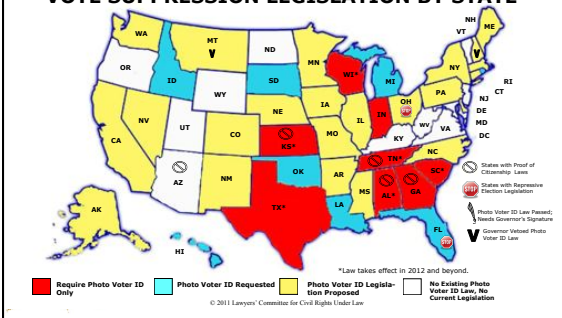


MOVING BACKWARDS

- 38 states introduced repressive voting legislation
- New laws in 14 states could disenfranchise 5 million voters in 2012



MAP OF SHAME: VOTE SUPPRESSION LEGISLATION BY STATE



New Voting Laws

- Voter identification restrictions
 - Limiting early voting
- Voter registration restrictions
 - Proof of citizenship
- More difficult for voters with criminal records



Changing Demographics

- 2008 saw record turnout by black and brown voters
- Pew Research Center:
- African American turnout largest ever – 65%, nearly matching White turnout
- Latino turnout rose from 47% to 50%



New Voters

- Huge increases in first-time voters among African American and Latino voters
- New voters in lowest income & education groups doubled in 2008
- 68.7% of first-time voters cast vote for Obama



Photo ID Restrictions

- Coordinated effort to reduce the voting strength of vulnerable populations who saw greater turnout in 2008 in states likely to be electoral battlegrounds in 2012



National Journal

"The movement to challenge voters in person is only one prong of a multi-part national campaign to fight supposed fraud by erecting new barriers to voting. These include proposed photo IDs and proof-of-citizenship bills; plans to eliminate same-day registration, and efforts to restrict voting access for students and felons. The movement is fueled in part by new GOP majorities."



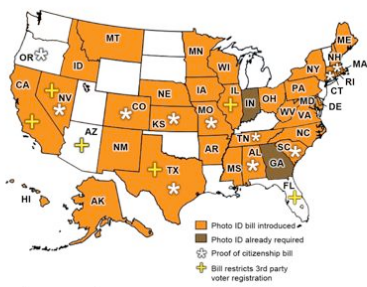
The backing



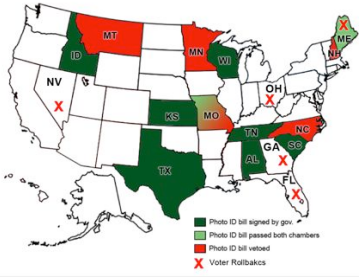
- Produced model voter ID legislation
- Limits acceptable ID to non-expired, state-or federally-issued photo identification, eliminating many other forms of ID that can effectively verify identity.



Photo ID Bills Introduced - 2011



Status of Photo ID Bills That Passed



Turning back the clock



The Myth of Voter Fraud

- Studies prove that in-person voter impersonation is incredibly rare



Solution in Search of a Problem

Photo ID laws wouldn't prevent even one fraudulent vote for every 1,000 legitimate voters who would be excluded from the voting process by the requirement



Many voters lack ID

21 million people nationwide:

- 11 % of U.S. voting-age Citizens
- 25 % of African American voting age citizens
- 15 % of voting age citizens earning under \$35,000
- 18 % of citizens age 65 and over
- 20 % of young voters



605,000 voters lack ID


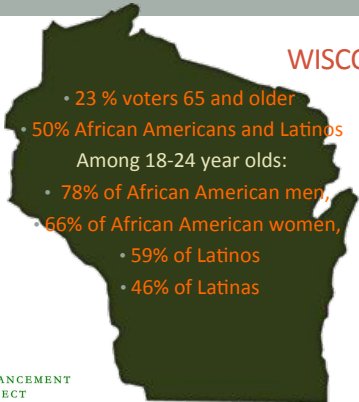


WISCONSIN



- 23 % voters 65 and older
- 50% African Americans and Latinos

Among 18-24 year olds:



- 78% of African American men,
- 66% of African American women,
- 59% of Latinos
- 46% of Latinas



Betty Jones



250,000 voters lack ID



Emmanuel Aziz




Masha Sapp




Thomas Bloom

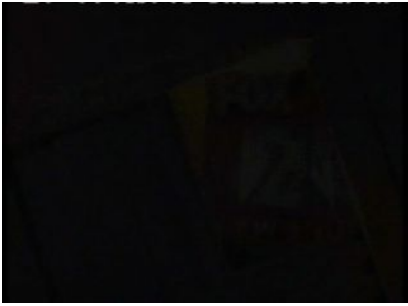


Joy Lieberman



 <http://newsroom.blogs.cnn.com/2011/11/06/im-very-worried-that-ill-be-disenfranchised/>

Missouri



Voter ID – most states already have it

- Federal law requires ID from 1st time voters
- 3/5 of states require ALL voters to show ID





Administrative Burdens

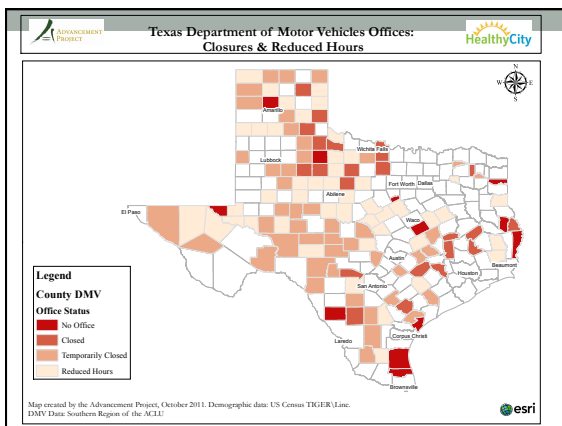
- Could double wait times at polls
- Poorly trained poll workers
- People don't look like their photos
- Costs up to \$20 million to implement

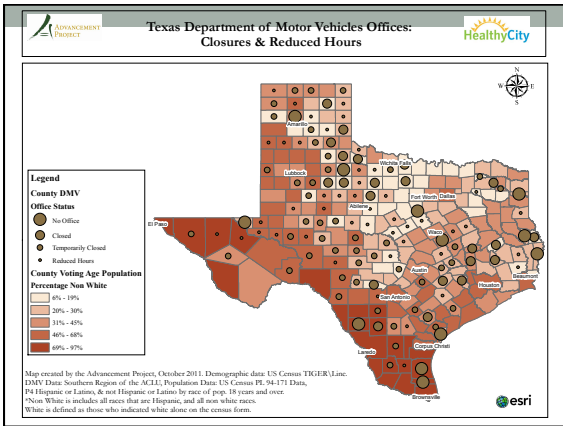


Hurdles to getting ID

- Access to source documents
 - Driver's license can cost up to \$30
 - Certified birth certificate can cost up to \$45
 - Passport can cost \$85-\$145
 - Naturalization papers can cost \$200
- 17 states require a photo ID before issuing a copy of a birth certificate
- Transportation to and access to DMV offices
- Those without permanent addresses (homeless, students); those without birth certificates









Failsafes Insufficient

- Most require those without ID to return to election authority with proper ID
- 2/3 provisional ballots are not counted
- Signature match is a problem for people with disabilities and seniors.



Legal Problems

- Failure to provide free ID
- Failure to identify and notify voters without ID
- Failure to educate
- Undue Burden on voters
 - Difficulty and cost of obtaining underlying documents
 - Inability to access DMV offices



Legal Status

- DOJ rejected photo ID laws in TX, SC
- Courts have enjoined photo ID law in WI
- Court threw out photo ID ballot initiative in MO
- Lawsuit filed in PA challenging photo ID law
- Gov's in NC, MN, MT, MO, NH vetoed photo ID



Barriers to the Ballot Box

Thank you!
Denise Lieberman
Advancement Project
www.advancementproject.org