

## Barriers to Voting: Voter ID Laws

Every person who casts a ballot should be able to demonstrate that they are who they say they are before voting. Requiring such proof is essential to the success of a democratic system. However, the burden of proof must not be so overwhelming that it prevents eligible voters from exercising their rights. Unfortunately, states across the US have already, or are currently working to make government-issued photo identification the only acceptable form of proof. Such restrictions, established in many states by laws known as “voter ID” laws, require voters to produce specific forms of identification like a state driver’s license with current address, a passport, or military ID. These IDs costs money to obtain, and 12 percent of eligible voters do not have them. As a result, such laws systematically disenfranchise low-income, elderly, disabled, and student voters, restricting the civic participation of those who most need to be heard to ensure our democracy. **In the 2012 election, voter ID laws could prevent approximately 5 million voters from casting ballots. If we work together, we can decrease that number by advocating against these proposals where laws are pending and, in states where the laws are in place, helping eligible voters meet the new requirements.**

### KNOW THE FACTS:

- ▶ **There is no wide-spread voter fraud in the US.** Proponents of voter ID requirements argue that such laws prevent fraud; however, actual cases of voter fraud in the US are quite rare. Consider that: between 2002 and 2005, the Justice Department convicted only five people for voting multiple times; a 2005 statewide study in Ohio found only four instances of ineligible persons voting or attempting to vote in 2002 and 2004 — 4 instances out of 9 million; and an investigation of fraud allegations in Wisconsin in 2004 led to the prosecution of 0.0007 percent of voters.
- ▶ **Voter ID laws require unnecessarily strict forms of identification.** Though the laws differ from state-to-state, most voter ID laws require a government-issued photo ID with a voter’s current address. As a result, voters must often pay to get a valid ID, and must be able to visit a local DMV or other government agency with limited hours of operation, making it difficult for the working poor, elderly, and rural voters to obtain the required documentation.
- ▶ **Photo ID requirements disenfranchise already-underrepresented communities.** State photo ID restrictions disproportionately affect African Americans, Latinos, young voters, people over 65, and people with disabilities. Advancement Project studies show that 11 percent of eligible voters, or about 21 million people, don’t have updated, state-issued photo IDs: 25 percent of African Americans, 15 percent of those earning less than \$35,000, 18 percent of citizens age 65 or older, and 20 percent of voters age 18 to 29.
- ▶ **Voter ID laws are a modern-day poll tax.** All 50 states charge a fee (up to \$35) for government-issued photo ID. To some, this may not seem like much money; but, to a low-income voter already struggling to make ends meet, this fee is insurmountable. Furthermore, the 24th Amendment, ratified in 1964, made it illegal for “both Congress and the states from conditioning the right to vote in federal elections on payment of a [poll tax](#) or other types of tax.” Requiring voters to have a specific photo ID that costs money is, in essence, charging individuals money to vote — and it is unconstitutional.
- ▶ **Voter ID laws will change election results.** Consider, for example, South Carolina in the 2008 presidential election. In 2008, Sen. John McCain defeated then-Sen. Barack Obama by 168,000 votes. Today, according to the South Carolina Election Commission, there are 178,000 registered voters who would not qualify to vote under the new voter ID law because they do not have, or are unable to obtain a valid state driver’s license, a passport, or a military ID.

### KNOW THE LAWS IN YOUR STATE:

Find out the requirements in your state from the [National Conference of State Legislatures](#) or The [Brennan Center for Justice](#). You can also contact your [state board of election](#).

## TAKE ACTION:

Voter ID laws present a major challenge to champions of voter protection and promotion. Still, there is a great deal that advocates can do. Whether laws are pending in your state or they have already been passed. Take action today to ensure that every eligible voter has the opportunity to exercise their right to vote. Use the tips below to learn how you can make a difference.

### ▶ **Taking action in states where voter ID laws are pending**

#### **If your state legislature is considering a voter ID bill:**

- ▶ [Write a letter to the editor](#) to express your opposition to voter ID laws.
- ▶ [Meet with](#) or send [a letter](#) to your state legislators urging them to oppose voter ID laws.
- ▶ Coordinate with a local or state coalition working to oppose voter ID initiatives in your state.

#### **If voter ID is on the ballot in your state**

- ▶ Learn about the 501(c)(3)-compliant ways that you can [take action on ballot initiatives](#).
- ▶ Find the local or state coalition working to oppose the initiative in your state — explore the additional resources below or [contact](#) the NCJW Washington Office.
- ▶ [Collaborate with allies](#) to educate members of your community about what's at stake.

### ▶ **Taking action in states where voter ID laws have been enacted**

- ▶ Familiarize yourself with the new laws and all of the requirements for obtaining ID, including deadlines, financial requirements, and documentation rules.
- ▶ Educate your community members on the [new laws](#) to ensure that all eligible voters are able to cast a ballot.
- ▶ Do as much [get out the vote work](#) in your community as you can, incorporating information for voters about the new laws. Help community members get to the DMV or other local government office where they can obtain an acceptable ID. Make sure to help them prepare the necessary documentation ahead of time.

### ▶ **Additional Resources**

- ▶ [Project Vote](#)
- ▶ [Brennan Center for Justice](#)
- ▶ [The National Conference of State Legislatures](#)
- ▶ [Contact for your State Board of Elections](#)