

Fact Sheet: Voter ID Laws

According to federal law, first-time voters who register by mail are required to present a photo ID or copy of a current bill or bank statement. Some states generally advise voters to bring some form of photo ID. But until the 2006 election, no state ever required a voter to produce a government-issued photo ID as a condition to voting. In 2006, Indiana became the first state to enact a strict photo ID law. The Indiana law was upheld two years later by the U.S. Supreme Court.

The number of states with laws requiring voters to show government-issued photo ID quadrupled in 2011. At least 34 states have introduced laws that would require voters to show photo identification in order to vote, and an additional four states introduced legislation requesting that voters show photo identification to register or to vote.

Photo ID bills were actually signed into law in eight states: Alabama, Kansas, Rhode Island, South Carolina, Tennessee, Texas, Wisconsin and Pennsylvania and passed by referendum in Mississippi. Minnesota's legislature has passed a bill proposing a constitutional amendment to the Minnesota Constitution that would require a government-issued photo ID to vote in person (this will be voted on in the 2012 general election).

Voter ID laws make it harder for millions of Americans to vote: According to the Brennan Center for Justice at New York University, 11% of American citizens do not currently possess a government-issued photo ID. That is over 21 million citizens. In Pennsylvania, nearly 760,000 registered voters, or 9.2% of the state's 8.2 million voter base, don't own state-issued ID cards. In Indiana and Georgia, states with the earliest versions of photo ID laws, about 1,300 provisional votes were discarded in the 2008 general election, later analysis revealed.

The people trying to enact stricter voter ID laws say they are doing it because there is too much voter fraud. They argue that people can easily register under the names of deceased citizens, double register, or even vote without citizenship. However, Republican election officials who promised to root out voter fraud so far are finding little evidence of a widespread problem. State officials in key presidential battleground states found only a tiny fraction of the illegal voters they had expected.

People who are opposed to the voter ID laws say that they place unnecessary roadblocks in the way of voters, discouraging people go to the polls. What's more, they argue, voter ID laws disproportionately affect seniors, students, and African American, Latino, disabled, and low-income voters – all of whom are more likely to vote Democratic.

According to the League of Women Voters:

- 18 percent of elderly citizens do not have a government-issued photo ID.
- 15 percent of voters earning less than \$35,000 a year do not have a photo ID.

- 18 percent of citizens aged 18-24 do not have a government-issued ID with their current address and name.
- 10 percent of voters with disabilities do not have a photo ID.
- 25 percent of African-American citizens of voting age do not have a current, government-issued ID

Obtaining a photo ID can be costly and burdensome, with even free state ID requiring documents like a birth certificate that can cost up to \$25 in some places. Many people in rural areas have to travel a long way to get to government offices to obtain an ID. Disabled people face extra challenges as well. The result is that Voter ID laws will make it harder for hundreds of thousands of poor Americans to vote.

Some opponents of voter ID laws believe they are a conscious attempt to change the outcome of elections. PA House Republican Leader Mike Turzai lent support to that view when he was captured on video in June 2012 noting with approval that the state's new voter ID law would ensure a Romney win. A judge later temporarily blocked the law from taking affect during the 2012 election season. <http://www.youtube.com/watch?v=EuOT1bRYdK8>)

Fact Sheet: Proof of Citizenship Laws

A person must be a US citizen over 18 years old to be eligible to vote. A voter usually establishes eligibility by signing an affidavit, under penalty of perjury, that s/he is a US citizen of voting age and meets all the other eligibility requirements.

In the past two years, at least 17 states have introduced legislation that would require proof of citizenship, such as a birth certificate, to register or vote. Proof of citizenship laws have passed in Alabama, Kansas, and Tennessee. The Tennessee law, however, applies only to individuals flagged by state officials as potential non-citizens based on a database check.

Previously, only two states had passed proof of citizenship laws, and only one had put such a requirement in effect. The number of states with such a requirement has more than doubled. Until recently, no state has ever required a voter to produce documentary proof of citizenship or age or any other aspect of eligibility to participate in elections.

Acceptable documents include: driver's or non-driver's ID that includes a notation that the person submitted proof of citizenship, US birth certificate, passport, US naturalization documents, certain tribal IDs.

Proponents of these laws claim that proof of citizenship requirements are needed to prevent non-citizens from illegally voting in elections. In several states, proponents claimed to have uncovered evidence of such illegal voting. Colorado Secretary of State Scott Gessler, for example, claimed that up to 11,805 non-citizens were registered to vote in Colorado, while Kansas Secretary of State Kris Kobach claimed to have found 67 noncitizens illegally registered to vote in Kansas. These claims were hotly disputed, and they have since been debunked, according to the Brennan Center for Justice at New York University.

Opponents claimed that proof of citizenship requirements exclude large numbers of eligible voters, pointing out that millions of eligible Americans—at least 7% according to a leading study by the Brennan Center-- do not have ready access to the documents needed to prove citizenship.

Opponents further dispute the claim that there is a problem of non-citizen voting in American elections, pointing out that only a minuscule number of non-citizens have been found to have voted illegally, and that it is already easy to catch non-citizen voters since they leave a clear paper trail.

Fact Sheet: Restricting Early In-Person and Mail Voting

For years, there has been tremendous growth in state laws that allow early voting. Early voting can include letting people go to voting sites weeks before election day, as well as voting by mail (often called “absentee voting”). In 2000, the majority of Americans still voted at their local polling places on Election Day. Less than 4% voted at early voting sites and 10% voted by mail. But by 2008, more than one-third of American voters voted early.

2011 was the first year that progress was stalled in the move toward early voting. Early in-person in particular has come under attack from state legislatures around the country.

The primary benefit of voting early is convenience. Voters get more options and days during which they can vote. There is little evidence that early and absentee voting increases turnout overall. But it seems to make elections on Election Day run more smoothly, reducing the crush of voters at the polling places on one single day. It’s a way to address long lines at polling places on Election Day – lines that often discourage people from voting.

In the past, both Democrats and Republicans have supported early voting. But the past two years, most (though not all) of the new restrictions on early voting have been proposed by Republicans. At least nine states—Florida, Georgia, Maryland, Nevada, New Mexico, North Carolina, Ohio, Tennessee, and West Virginia—all considered bills to reduce their early voting periods this year.

At least four states—Georgia, New Jersey, Ohio and Wisconsin—introduced bills to change or add new restrictions on absentee voting.

Those who have tried to restrict early voting argue that it costs too much and requires too much administrative work. Some have also argued that restricting early voting will reduce fraud.

People who favor early voting laws argue that they encourage people to vote. They are concerned that restricting early voting will reduce turnout among people of color. In particular, they worry that efforts to eliminate Sunday early voting has a disproportionate effect on African American and Latino voters, who vote in greater numbers on Sundays than whites. Florida eliminated early voting on the last Sunday before Election Day and Ohio has eliminated early voting on Sundays entirely.

Fact Sheet: Making Voter Registration Harder

In all states except one, citizens must be registered in order to vote. Experts point out that our country's outdated registration system is among the most significant barriers to voting, resulting in the disenfranchisement of millions of Americans during every federal election.

Voter registration rates in the US are routinely lower than they are in other democracies around the world: more than a quarter of voting-age Americans are not registered and cannot vote as a result.

In other democracies, the government, at some level, assumes responsibility for getting voters registered. But in the US, we leave registration up to individual voters. Community-based voter registration drives play an important role in encouraging and assisting people to register to vote. These efforts have been especially important in enabling low-income citizens, students, members of racial and ethnic minority groups, and people with disabilities to exercise their right to vote.

Over the past few decades, there has been a push to ease the registration requirements to make it easier for eligible citizens to get on the voter rolls. The National Voter Registration Act of 1993 made voter registration opportunities widely available around the country.

During the 2004 general election, large-scale voter registration drives reportedly helped almost 10 million citizens to register to vote. In one county in Florida alone, voter registration organizations were responsible for registering 62.7% of all newly registered voters. National census data show that Latino and African-American voters are twice as likely to register to vote through a voter registration drive as white voters.

This year, the tide has turned: New requirements will make it more difficult to ensure that people get registered in time for Election Day. The people pushing for these requirements maintain that voter registration drives are prone to fraud. Some argue that voter registration should be made more difficult to reflect the importance of the right to vote.

A number of states have pushed legislation to regulate and restrict community-based voter registration drives. Bills placing restrictions on voter registration groups have been proposed in at least 7 states: California, Florida, Illinois, Mississippi, Nevada, New Mexico, North Carolina and Texas.

These bills require citizen registration groups to register with the state before undertaking a voter registration drive. They may also require special training for volunteers, the use of special forms, disclosure, and reporting systems, or short deadlines for the submission of voter registration forms. Violation of these rules usually carries penalties.

There has also been a rollback in state laws that allow people to register on the same day that they vote. Before 2011, eight states allowed for Election Day Registration: Idaho, Maine, Minnesota, Montana, New Hampshire, Wisconsin, and Wyoming.

Opponents of Election Day Registration argue that it invites voter fraud. Bills to eliminate EDR were introduced in 5 states: Maine, Montana, New Hampshire, North Carolina and Ohio.