

Frances C. Schreiberberg

From: Frances C. Schreiberberg
Sent: Tuesday, July 17, 2012 5:49 PM
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Cc: 'nlglec-steeringcommittee@googlegroups.com'
Subject: another cartoon, another editorial re Voter Suppression
Attachments: TMW2012-07-11colorKOS.jpg
To: NLG L&EC Voting Rights Protection / Voter Suppression workshop folks
Re: cartoon, editorial, article on election issues

Editorial

<http://www.latimes.com/news/opinion/editorials/la-ed-voter-id-laws-20120716,0,6515750.story>

Suppressing the vote, state by state

The evidence is overwhelming that recent photo ID laws are politically motivated.

July 16, 2012

Twelve years after disputes about hanging chads and butterfly ballots cast doubt on the credibility of the outcome of a presidential election, the integrity of the election process again has become a partisan issue. If the race between President Obama and Mitt Romney is a close one, look for the losing side to blame the outcome on either fraud or voter suppression. At this point the latter looks to be the bigger problem.

Precipitating this debate is a spate of new state laws requiring photo IDs at polling places. Not content to mount legal challenges to such controversial laws, Atty. Gen. Eric H. Holder Jr. has taken to the hustings to denounce them, arguing that they disproportionately suppress the votes of minorities, the poor and the elderly. Departing from his prepared remarks in a speech to the NAACP last week, Holder compared photo ID requirements to the notorious poll taxes of the Jim Crow era, which were used to prevent blacks from voting until they were finally abolished in federal elections by the 24th Amendment. Republicans who have been the principal advocates of photo ID laws insist that they are simply trying to prevent election fraud.

Who's right? A photo ID would provide an additional measure of assurance that the person casting a ballot was who he said he was and not, for example, one of the deceased citizens whose names aren't always purged from voter rolls. The question, however, is whether that sort of fraud is widespread enough to justify imposing a requirement that could disenfranchise a significant number of qualified voters. That case has not been made, and the evidence is overwhelming that recent photo ID laws — and other legislation likely to reduce turnout — are politically motivated.

In the 2008 Supreme Court ruling upholding an Indiana photo ID law, Justice John Paul Stevens, referring to the in-person impersonation the law was designed to prevent, conceded that the record "contains no evidence of any such fraud actually occurring in Indiana at any time in its history." In a detailed 2007 study of voter fraud allegations, the Brennan Center for Justice at New York University Law School concluded that voter impersonation was "more rare than death by lightning."

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On the other side of the ledger — counterintuitive as it may seem to middle-class Americans — a significant number of voters do not have a photo ID. In Pennsylvania, where the Republican governor recently signed a voter ID law, one study estimated that nearly 800,000 voters lack a driver's license or other ID issued by the state Transportation Department. Defenders of the law point out that voters can satisfy the requirement with other sorts of photo IDs, including those issued by the military, universities and nursing homes. But that still leaves many voters without a photo ID or the documentation required to apply for one. The lead plaintiff in a lawsuit challenging the Pennsylvania law, a 93-year-old black woman named Viviette Applewhite, says she has been unable to obtain her birth certificate from the state despite paying the required fee. She is surely not alone.

In 2011 and 2012, 11 states have passed new voter ID laws. Not coincidentally, the impetus has come from Republicans. In an embarrassing display of candor, the Republican leader of Pennsylvania's House, in rattling off a series of legislative accomplishments, said, "Voter ID, which is gonna allow Gov. Romney to win the state of Pennsylvania — done!" Republican-controlled legislatures also have enacted restrictions on early voting, including voting on Sundays (a day African American churches often sponsor "Souls to the Polls" programs), and ended same-day registration.

To say that fraud is minimal doesn't mean it doesn't exist, or that states shouldn't endeavor to make it less possible. Some proposed reforms, such as a system for checking voter lists against other government databases, would increase both accuracy and involvement. Even a photo ID requirement might be acceptable if states not only supplied IDs free of charge but also eliminated hurdles that make them difficult to obtain, such as inconveniently located driver's license centers or backlogged birth registries. Meanwhile, the Justice Department and state and federal courts should ensure that the right to vote isn't sacrificed on the altar of feigned concern about fraud.