

Get Out the Vote 2012: Voter Suppression Laws

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A crucial election day is just four months away. At stake are vital issues of concern to all Americans, in addition to issues of special concern to American Jews. Visit www.rac.org/vote to download your copy of the updated [Get Out the Vote Guide 2012](#) for tools, resources and information to help your congregation or community plan a successful voter engagement effort in advance of Election Day. As November 6 draws nearer, we look forward to working with you and your congregation to *Get Out the Vote* and promote civic engagement.

This election season is already shaping up to be different. Since the 2008 election, voter suppression laws have expanded their reach, limiting the ability of millions of Americans to cast their vote in the upcoming November election. In 2011 alone, 34 states introduced legislation or enacted laws that would restrict voters' access to the polls. These measures include voter ID laws, restrictions on third-party registration, restrictions on when and where individuals can register, and restrictions on early or absentee voting.

Voter ID laws, or laws that require voters to present IDs at the polls come with a high price. According to the [Brennan Center for Justice](#), approximately 11% of Americans – 21 million people – currently lack a government-issued photo ID. Making matters worse, voter ID laws often have a greater impact on racial, ethnic, gender identity and other minority groups: For example, at minimum, [27% of transgender individuals](#), 25% of African Americans and 15% of those who earn less than \$35,000 per year currently lack acceptable photo ID any or updated photo ID, resulting in the disproportionate disenfranchisement of these communities.

Jewish tradition emphasizes our individual and collective responsibility to play an active role in our community and choosing its leaders. Rabbi Yitzhak taught that “A ruler is not to be appointed unless the community is first consulted” (Babylonian Talmud *Berachot* 55a). Given the Jewish community's historical role in the struggle for civil rights, we are compelled to speak out against allegations of voter disenfranchisement and evidence of disqualified votes for citizens of color, transgender individuals, and persons with disabilities. It is our duty to ensure that all citizens are afforded the free and fettered opportunity to vote and have their votes counted.

The following pages contain summaries of restrictive voting laws in states across the U.S. and are designed to be used as a resource for rabbis and congregations. Click on the states listed below for more information.

- [Alabama](#)
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Alabama

Alabama passed a law in 2011 that would require voters to present ID at the polls. However, because the state's election laws must be "precleared" or approved by the Department of Justice as required under Section V of the [Voting Rights Act](#), the law would not go into effect (if it receives preclearance authorization) until 2014.

[Click here for more Alabama voting resources](#) from the Fair Elections Legal Network.

Florida

Florida passed a law in 2011 (currently suspended) that limited the ability of voter groups to conduct registration activities, reduced the early voting period from 14 days to 8 days and eliminated early voting on the Sunday before the election – a day which traditionally attracts high turnout from low-income voters and people of color. The law also blocks voters from updating their voter registration at the polls if they have moved within the state.

The main provision of the law limits voter registration activities by forcing organizations (many of which are community organizations, churches, synagogues, and other nonprofits) to register with the state. It also requires all volunteers and employees that will be registering voters to sign an affidavit detailing penalties of false registrations, and submit all completed registration forms within 48 hours or face fines up to \$1,000. These requirements would effectively shut down many nonprofits conducting these activities, imposing unreasonable and unnecessary deadlines on registration paperwork.

However, in May several of the main provisions of this law were struck down due to a successful lawsuit brought by the League of Women Voters and other voter registration groups. The blocked provisions include the one which mandated that organizations turn in completed voter registration forms in 48 hours (the state's previous requirement of turning in voter registration forms within 10 days is currently back). Depending on whether or when the state decides to pursue an appeal, the full law could be back in effect for the November election.

In addition, the law cannot take effect in five Florida counties (Collier, Hardee, Hendry, Hillsborough, and Monroe) until receiving preclearance from the U.S. Department of Justice (DOJ), a requirement under Section V of the Voting Rights Act. The DOJ has not yet issued preclearance.

[Click here for more Florida voting resources](#) from the Fair Elections Legal Network.

Georgia

In 2005, Georgia passed law requiring voters to show ID at the polls. The state also passed a law in 2009 that requires first-time voters to present official documents proving U.S. citizenship in order to register, and in 2011, limited its early voting period to 21 days from 45 days.

Acceptable IDs for Georgia voters include:

- Georgia driver's license, even if expired
- ID card issued by the state of Georgia or the federal government

- Free voter ID card issued by the state or county
- U.S. passport
- Valid employee ID card containing a photograph from any branch, department, agency, or entity of the U.S. Government, Georgia, or any county, municipality, board, authority or other entity of this state
- Valid U.S. military identification card
- Valid tribal photo ID

[Click here for more Georgia voting resources](#) from the Fair Elections Legal Network.

Indiana

In 2005, Indiana became the first state in the U.S. to pass a voter ID law. Voters must present government-issued IDs at the polls that must include the following:

- Name of individual to whom it was issued, which must conform to the individual's registration record
- Photo of the person to whom it was issued
- Expiration date (if it is expired, it must have an expiration date after the most recent general election; military IDs are exempted from this requirement).

Kansas

Kansas passed a law in 2011 requiring all voters to show ID at the polls. The law exempts those unable to obtain a voter ID because of a permanent physical disability, being on active duty, or because of religious beliefs. Acceptable IDs include:

- Driver's license issued by any state;
- State ID card;
- Government-issued concealed carry handgun or weapon license;
- Valid U.S. passport;
- Government employee badge or document;
- Student ID issued by a postsecondary institution in Kansas;
- U.S. military ID;
- Government-issued public assistance ID card.

[Click here for more Kansas voting resources](#) from the Fair Elections Legal Network.

Mississippi

Mississippians approved a constitutional amendment in November 2011 requiring voters to present government-issued photo IDs in order to vote, and the state legislature passed enabling legislation in 2012 with the same requirements. However, Mississippi is covered under Section V of the Voting Rights Act, which requires that the U.S. Department of Justice (DOJ) "preclear" any changes to voting and election law in the state to ensure it does not discriminate against minority groups. **The DOJ has not yet "precleared" this law, meaning it is not yet in effect.**

If the law is “precleared,” acceptable IDs would include:

- Mississippi driver's license;
- Identification card issued by a branch, department, agency or entity of the State of Mississippi;
- United States passport;
- Employee identification card issued by any branch, department, agency or entity of the United States government, Mississippi, or any county, municipality, board, authority or other entity of Mississippi;
- Mississippi license to carry a pistol or revolver;
- Tribal identification card;
- United States military identification cards
- Student identification card containing a photo issued by any accredited Mississippi higher education institution; and
- Official Mississippi voter identification card.

[Click here for more Mississippi voting resources](#) from the Fair Elections Legal Network.

New Hampshire

Overriding the Governor’s veto, the New Hampshire state legislature passed a law in 2011 requiring voters to show ID at the polls in upcoming elections. Acceptable IDs include:

- Driver's license;
- New Hampshire non-driver ID card;
- Military ID;
- U.S. passport;
- Valid student ID card (**not acceptable beginning in 2013**);
- Any other valid photo identification issued by federal, state, county, or municipal government.

[Click here for more New Hampshire voting resources](#) from Fair Elections Legal Network.

Ohio

Ohio passed a law in 2011 which shortened the early voting period from 35 days to 17 days, eliminated early voting on Saturday afternoon and Sunday before Election Day and reduced mail absentee voting from 35 days to 21 days. **The state legislature, however, voted in May to [repeal the law \(HB 194\)](#), EXCEPT for the provision which eliminated early voting the last 3 days – Saturday, Sunday, and Monday – before Election Day.**

[Click here for more Ohio voting resources](#) from the Fair Elections Legal Network.

Pennsylvania

In March, Pennsylvania enacted a law that will be in effect for the November election requiring voters to show ID at the polls. Acceptable IDs must have a current expiration date (including college or university ID cards). They include the following:

- A valid driver's license or one that is not more than a year past its expiration date; or for those with religious objections to being photographed, a valid-without-photo driver's license, or a valid-without-photo card issued by PennDot;
- Identification from the armed forces, including the Pennsylvania National Guard, that establishes whether a voter is a current or veteran member, and designates that the ID's expiration date is indefinite;
- U.S. government identification;
- A valid U.S. passport;
- Pennsylvania state or municipal government ID;
- Student ID from a public or private institution of higher learning that is accredited in Pennsylvania;
- Identification from a personal care facility.

[Click here for more Pennsylvania voting resources](#) from the Fair Elections Legal Network.

Rhode Island

Rhode Island passed a law in 2011 requiring voters to show ID at the polls. **Before January 1, 2014 (including the upcoming November elections), voters can provide their birth certificate, Social Security card, or a government-issued medical card without a photo as ID.** After January 1, 2014, however, acceptable forms of ID are limited to:

- Rhode Island driver's license or voter ID card;
- U.S. passport;
- ID issued by any U.S. educational institution;
- Any U.S. or Rhode Island government issued ID;
- Government-issued medical card.

[Click here for more Rhode Island voting resources](#) from the Fair Elections Legal Network.

South Carolina

South Carolina passed a law in 2011 requiring voters to show ID at the polls. **In December, the U.S. Department of Justice ruled that law was in violation of the Voting Rights Act because it would disproportionately impact minority voters.** The state has filed a lawsuit to allow the law to take effect, so the law could come back into effect for the November election.

If the injunction against the law is lifted, acceptable IDs would include:

- South Carolina driver's license or voter ID card;
- Photo ID issued by the South Carolina Department of Motor Vehicles;
- U.S. passport;
- Military ID;
- South Carolina voter registration card.

[Click here for more South Carolina voting resources](#) from the Fair Elections Legal Network.

Tennessee

In 2011, Tennessee passed a law requiring all voters to show ID in order to vote. Acceptable IDs include:

- Tennessee driver's license;
- Valid photo ID issued by any state;
- Valid photo ID issued by the Tennessee Department of Safety;
- Valid U.S. passport;
- Valid Military ID.

[Click here for more Tennessee voting resources](#) from the Fair Elections Legal Network.

Texas

Texas passed a law in 2011 requiring voters to present ID in order to cast their votes. **However, in March the U.S. Department of Justice (DOJ) ruled that Texas' voter ID law violated the Voting Rights Act, because it would disproportionately impact Hispanic and other minority voters.** The DOJ has temporarily blocked the law from being implemented. The state has filed a lawsuit to allow the law to take effect, which means that there is still a chance that voters could be require to show a photo ID to vote in the November election.

Under the Texas law, acceptable photo IDs would include:

- Driver's license;
- Election identification certificate;
- Department of Public Safety personal ID card;
- License to carry a concealed handgun;
- Valid U.S. passport;
- U.S. citizenship certificate;
- U.S. military ID.

[Click here for more Texas voting resources](#) from Fair Elections Legal Network.

Virginia

Virginia passed a law in 2011 that requires voters to present some form of identification at the polls or, if a voter does not have any acceptable ID, vote by provisional ballot. Acceptable IDs include:

- Virginia voter registration card;
- Social Security card;
- Valid Virginia driver's license;
- Valid student ID from a Virginia higher education institution;
- Valid photo ID card from employer;
- A current utility bill, bank statement, government check or paycheck showing the name and address of the voter.

[Click here for more Virginia voting resources](#) from the Fair Elections Legal Network.

West Virginia

In 2011, West Virginia passed a law that shortened its early voting period by 5 days, now beginning 13 days before the election and continuing until three days before the election. Early voting on Saturdays is still allowed.

Wisconsin

Wisconsin passed a law in 2011 that requires voters to show a photo ID at the polls and extends the residency requirement in order to register to vote from 10 days to 28 days. The law went into effect for the February 2012 primary but is currently on hold after a court issued a permanent injunction blocking its implementation. Pending the court of appeal's decision, the law could come back into effect in time for the November election.

[Click here for more Wisconsin voting resources](#) from the Fair Elections Legal Network.

Additional Resources

- For more information about how voter suppression laws will impact persons with disabilities, visit the American Association of People with Disabilities resource on voting, available at: <http://www.aapd.com/what-we-do/voting/>
- For more information on how these initiatives impact African American, Latino, and other voters of color, visit the NAACP voting rights resource, available at: <http://www.naacp.org/pages/defending-democracy>