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Texas Voter ID Law Struck Down, Heads to Supreme Court

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Texas state officials continue to insist that the state's controversial voter ID law is valid, despite a federal appeals court [ruling on Aug 30](#) that the law is "retrogressive," meaning it reduces the voting strength of minorities. The [U.S. Supreme Court](#) will likely have the last say – possibly before the elections in November.

A three-judge panel in Washington, DC agreed with the Department of Justice, which had [refused to "pre-clear" the law](#) in March in a review process required by the [Voting Rights Act of 1965](#), that the law unfairly discriminates against minority and poor voters.

Texas Joins the Bandwagon

The law, known as [SB 14](#), restricts acceptable forms of ID to driver's licenses or state-issued ID, military ID, citizenship ID, a passport, and a concealed handgun license – all of which must include a photo. Student IDs, utility bills, paychecks, mail, and other forms of identification that were once acceptable now are not.

The Texas law is part of a [larger trend](#) of state laws passed to tighten voter ID requirements, and the results of legal battles over many of these state laws [could make a difference](#) in the November presidential elections. But unlike some other states, Texas leaves it to the voters to seek out and pay for the IDs. Georgia, for example, has strict ID requirements but also provides a voter ID card for free; the DOJ has pre-cleared that law.

"In their unanimous 56-page ruling, the federal judges found that the fees and the cost of traveling for those voters lacking one of the five forms of ID disproportionately affected the poor and minorities – who might have to travel 200 to 250 miles to acquire the proper ID and potentially pay fees basically amounting to a poll tax," explains [Andy Brown](#), chair of the Travis County Democratic Party in Austin.

"A law that forces poorer citizens to choose between their wages and their franchise unquestionably denies or abridges their right to vote," according to the opinion. "Simply put, many Hispanics and African Americans who voted in the last election will, because of the burdens imposed by SB14, likely be unable to vote in the next election. This is retrogression."

Brown, echoing many of his fellow Democrats' complaints about voter ID laws, says they are all the results of Republican efforts to limit turnout of groups that have historically voted for Democrats.

"The Texas voter ID law is intended for voter suppression, pure and simple," Brown says. "Voter ID, redistricting to create Republican victories, attempts to shorten early voting periods — these all add difficulties to [the] voter registration process and are intended to suppress the growing majority of Democrats in Texas."

Case Headed for the Supreme Court

Texas Republicans say that voter ID laws are constitutional methods of preventing voter fraud and believe courts can't legally consider factors like poverty when determining whether a law complies with the Voting Rights Act. As promised, Texas Attorney General Gregg Abbott, a Republican, is [appealing the ruling](#) to the U.S. Supreme Court, which, Abbott said in a statement, "has already upheld Voter ID laws as a constitutional method of ensuring integrity at the ballot box."

Now the question will be whether the Supreme Court will agree to hear the case before November. "The [Court's] next session begins in October, and Abbott and others are expected to ask for these cases to be considered quickly — in the hope of affecting the November election," Brown says.

While the federal courts have clearly indicated the Texas law doesn't pass muster under the Voting Rights Act, the Supreme Court would likely consider whether the VRA itself is still constitutional. Texas will join Alabama, Florida, and Alaska, which are already arguing that the 1965 law is unconstitutional.

"Section 5 [of the VRA] was a valuable tool in the fight against systemic disenfranchisement, but it now facilitates the very discrimination it was designed to prevent," writes Ilya Shaprio of the CATO Institute on the [organization's blog](#).

Do you think minorities still require protection of their right to vote in districts that have historically shown patterns of racial discrimination? Share your opinion below.

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