

Congressional hearing sought over voter ID laws sweeping states

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WASHINGTON — Does requiring a photo ID to vote return America to the days when poll taxes and literacy tests made it hard for minorities to cast ballots? Are state lawmakers trying to make it harder for people to vote?

Two top House Judiciary Committee Democrats want to know, and on Monday they asked Committee Chairman Lamar Smith, R-Texas, to hold hearings on those laws, which have been adopted or are pending in 37 states.

The chairman is reviewing the request, and he had no immediate comment.

"As voting rights experts have noted, the recent stream of laws passed at the state level are a reversal of policies, both federal and state, that were intended to combat voter disenfranchisement and boost voter participation," said Reps. John Conyers, D-Mich., and Jerrold Nadler, D-N.Y.

Conyers is the committee's top Democrat. Nadler is the top Democrat on its Constitution subcommittee.

They're concerned about new laws in 13 states that they say will curb access to the ballot box.

The changes require voters to present government-approved identification cards, curb voter registration drives by third-party groups, curtail early voting, end same-day registration and overturn rules that give convicted felons who've served their time the right to vote.

Twenty-four states are considering similar measures, according to New York University's Brennan Center for Justice, which issued a report on the topic in October.

Others maintain there's no evidence that a systemic effort is under way to intimidate voters. Some maintain that voter ID laws are popular and can help boost confidence in the system.

"There's not a great deal of evidence of voter fraud" through impersonation, said John Samples, the director of the Center for Representative Government at Cato Institute, a libertarian research group.

Passing voter ID laws, he said, is unlikely to affect turnout. "There's not much evidence that requiring voter IDs will change things or deter people from voting," he said, citing other studies in recent years. "When people are sufficiently mobilized to vote, they turn out."

Still, Conyers and Nadler want the issue examined more thoroughly.

The changes in state laws, they contend, "raise serious constitutional concerns." For example, they said, "requiring citizens to expend significant funds to obtain a photo ID to vote runs afoul of the prohibition on poll taxes."

Poll taxes often were used to intimidate black voters in the South.

The courts, Nadler and Conyers said, also have ruled that "elderly persons born out of the state, persons with economic limitations, homeless people and even people with religious objections to being photographed may be burdened by photo ID laws."

The Brennan study found that more than 21 million people lack government-issued photo IDs. Hilary Shelton, the director of the NAACP's Washington Bureau, estimated that one-fourth of African-Americans don't have the proper documentation to meet ID requirements.

Critics of the voter ID laws maintain that it's the drive to enact such laws is motivated by partisanship, an effort to keep supporters of President Barack Obama away from the polls.

During the Bush administration, political appointees in the Justice Department's Civil Rights Division aggressively pursued positions on voting rights laws that critics charged were designed to aid Republican candidates by curbing the turnout of Democratic-leaning minority and poor voters.

The effort intensified as President George W. Bush's popularity waned and the GOP risked losing control of Congress in 2006, which it did. Charging that election fraud was widespread, the administration backed proposals to toughen state and federal voter ID laws that would most affect these groups.

McClatchy reported that Karl Rove, Bush's top political adviser, alluded to the strategy in April 2006 when he discussed voter fraud in a speech to the Republican National Lawyers Association, highlighting the importance of about a dozen election battleground states.

A study issued last week by the liberal People for the American Way Foundation concluded that voter ID laws today have similar motives.

"Their clear target is driving down Democratic turnout and installing in office people who will do the bidding of the right wing and their Republican allies," charged Michael Keegan, the foundation's president.

Former Rep. Artur Davis, D-Ala., who lost a bid for governor last year, argued otherwise. In an opinion piece in The Montgomery Advertiser in October, Davis maintained, "Demanding integrity in voting in neither racist, nor raw party politics."

Davis, who was a member of the Congressional Black Caucus, said he now supported his state's voter ID laws.