

□ Voter ID: Modern Day Poll Tax?

Written by Eryn Roberts

Wednesday, 31 August 2011 12:05



September 1 marks the date most bills passed this legislative session take effect. The controversial Voter ID legislation, passed in the form of Senate Bill 14, doesn't take full effect until 2012, but begins to take shape this week.

In January voters will be required to present a valid photo ID to cast a ballot in any local, state or national election in Texas. This legislation is expected to suppress the vote and minorities, and it will make it significantly more difficult for hundreds of thousands of legally-registered Texans to exercise their constitutional right to vote.

Studies conducted in 2004 at Rutgers and Ohio State universities found that voter ID laws decrease Hispanic turnout by 10%, and African-American turnout by 5.7%. Since the Hispanic and African-American turnout was a point higher in 2008 than in 2004, these numbers are underestimating the true level of voter disenfranchisement.

Approved identification includes a state-issued ID card or a driver's license, a military ID, a concealed handgun license issued by the Department of Public Safety, a passport or a state-issued election identification certificate.

There are several problems with the measure. You can lose your driver's license over very minor offenses and nothing has been done to increase access to other forms of acceptable identification. Drivers frequently lose their licenses over surcharges or failing to pay a traffic citation and this would strip them of their necessary identification to vote. In effect it could be creating a poll tax if a fine has led to you license suspension, you have to pay DPS for your right to vote.

Several provisions of the Voter ID bill take effect in September but the actual photo ID requirement doesn't take effect until January as lawmakers deemed it necessary to educate voters about the bill's requirement.

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In September outreach and education programs will begin that are intended to inform the public of what the law does and what is needed to cast a ballot.

What happens next is unclear. When a state passes a measure that affects voting, under the federal Voting Rights Act it is subject to review by the U.S. Department of Justice or the federal courts. That process is pending. The Texas Secretary of State filed its request for pre-clearance with the Department of Justice last month. They expect a response in September. If the department renders the bill constitutional and rules that the bill will not adversely affect voter turnout, opponents of the measure are likely to file litigation to halt the measure.

Texas has a long and sad history of making it difficult for people to vote and has once again made it far more difficult for potentially hundreds of thousands of legally-registered voters to exercise their right to vote. The Republicans pushing the measure say it is aimed at curbing voter fraud, but as the Brennan Center for Justice noted, voters are more likely to be struck by lightning than commit voter fraud. The Bush Justice Department spent 5 years on a voter fraud investigation, and came up with 86 convictions out of 196 million votes cast. Under current legislation, the use of student IDs is banned altogether but voting by those with a concealed weapon license is allowed. It seems that this legislation is clearly constructed not only to affect how we vote, but who votes. {jcomments on}