

## VOTING RIGHTS: FREQUENTLY ASKED QUESTIONS

The League is dedicated to ensuring that **all eligible voters** – particularly those from traditionally underrepresented or underserved communities, including first-time voters, non-college youth, new citizens, minorities, the elderly and low-income Americans – have the opportunity and the information to **exercise their right to vote**.

Read more at <http://lwv.org/issues/voting-rights>

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### 1. WHAT IS THE LWVUS POSITION ON VOTING RIGHTS?

The League of Women Voters of the United States believes that voting is a fundamental citizen right that must be guaranteed. [Read more . . .](#)

### 2. HOW DOES THE LEAGUE WORK TO GUARANTEE VOTING RIGHTS?

The [LWVUS website](#) expands on the basic position to describe some of the recent advocacy.

*We seek to protect and expand voting rights through advocating for proactive reforms such as expanded early voting and online voter registration, ensuring existing pro-voter laws are being followed and challenging all efforts that limit the ability of voters' to exercise this basic right.*

*The League actively opposes voter photo ID laws, advocates against barriers to the voter registration process, works to prevent last-minute Election Day barriers and helps millions of voters get the information and any required documentation they need to vote.*

## VOTER I.D. LAWS

### 3. WHY DOES THE LEAGUE OBJECT TO PHOTO ID LAWS?

The short answer: "Voters should not have to face an obstacle course to participate and vote," said [Elisabeth McNamara](#), LWVUS president, in 2011. Why? Because (1) such laws risk disenfranchising millions of eligible voters, (2) they cost millions of dollars to implement, and (3) there is no evidence that there is a need for such draconian measures, as voter fraud (voter impersonation) almost never happens.

### 4. DON'T ELIGIBLE VOTERS ALREADY HAVE THE REQUIRED CITIZENSHIP DOCUMENTATION?

No. According to the Brennan Center for Justice:

- As many as 7% of US citizens - 13 million people - do not have ready access to citizenship documents. Those with lower incomes are less likely to have ready access to those documents.
- In addition, only 66% of voting-age women, about 32 million people, *with* ready access to *any* proof of citizenship have a document with their current legal name.

The [Brennan Center provides continuously updated information on voting rights](#).

### 5. DON'T MOST PEOPLE ALREADY HAVE A DRIVER'S LICENSE OR SOME FORM OF PHOTO ID?

Yes. However, the [Brennan Center](#) has estimated that as many as 11% of US citizens, more than 21 million people, do not have government-issued photo identification. For those who do have a valid, government-issued ID, 10% do not have photo ID with both their current address and their current legal name.

### 6. WHAT KIND OF DOCUMENTS DO PEOPLE NEED?

Voter identification laws vary from state to state, but, in general, they require prospective voters to obtain documents such as: a driver's license, a personal ID card issued by the state, a concealed handgun license, a military ID, a citizenship certificate, or a passport, according to a [PBS Frontline report](#). Younger people, older people, minorities, and economically disadvantaged people are less likely to be able to afford the necessary documentation or to be able to navigate the bureaucratic steps to obtain underlying documents, such as birth certificates.

### 7. HOW HARD IS IT TO GET THE PROPER DOCUMENTS?

The [US Government Accountability Office](#) has found that laws and requirements vary greatly in their stringency and the burden they place on prospective voters. For example, costs for driver's licenses range from \$14.50 to \$58.50.

## **VOTER FRAUD?**

### **8. HOW OFTEN DOES VOTER IMPERSONATION OCCUR?**

Rarely. According to the [Brennan Center for Justice](#), overwhelming numbers of reported incidences of voter fraud are attributable to clerical errors, matching mistakes, errors in public documents, and simple mistakes.

### **9. WHAT IS THE PENALTY FOR VOTER IMPERSONATION (VOTER FRAUD)?**

Each act of voter fraud in connection with a federal election risks five years in prison and a \$10,000 fine, in addition to any state penalties.

## **2016 LAWSUIT LWVUS VS NEWBY**

### **10. WHAT IS LWVUS VS. NEWBY ABOUT?**

In February 2016, the LWVUS and its Alabama, Georgia and Kansas affiliates [filed suit](#) in federal district court to stop illegal action by the Executive Director of the U.S. Election Assistance Commission (EAC) that allows these states to restrict voter registration.

Acting unilaterally, EAC Executive Director Brian Newby approved requests from Alabama, Georgia and Kansas to require documentary proof of citizenship when an applicant uses the federal mail voter registration application form. The Help America Vote Act of 2002 requires the full commission itself to vote on any changes, but Mr. Newby ignored that obligation.

### **11. WHAT BEGAN THIS LAWSUIT?**

According to the [Brennan Center for Justice](#), on January 29, 2016, Newby sent letters to the secretaries of state of Alabama, Georgia, and Kansas stating, without further explanation, that he would allow the three states to require citizenship documents for applicants using the federal registration form. If the documents, such as birth certificates or passports, are not provided, Americans will be denied the fundamental right to vote. The federal form is designed to guarantee a "simple means of registering to vote," and already requires applicants to swear that they are US citizens under penalty of perjury. ... Nearly identical requests from Arizona and Kansas have already been rejected by the EAC multiple times. In June 2015, the U.S. Supreme Court turned down a petition from Arizona and Kansas ..., thereby letting stand a 10th Circuit ruling that the states may not force applicants using the federal voter registration form to show documents.

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