

Summary

Issue: **Voter ID and Provisional Ballots**

Related Bills: **SF173 / SF5**

LWVMN: **Opposes**

Details

The League of Women Voters of the United States believes that voting is a fundamental citizen right that must be guaranteed.

There is no evidence that the self-certification process does not sufficiently protect the integrity of election outcomes. Voter ID and provisional ballots burden the right to vote with no benefit to election integrity.

- Voter ID only prevents in-person voter impersonation. Minnesota has no voter impersonation. Even the conservative Heritage Foundation, which has put significant resources toward researching voter fraud and election irregularities in every state, cannot find evidence of voter impersonation in Minnesota.¹
- Voter ID deters eligible voters from voting. A 2014 Government Accountability Office study estimated that 5–16% of eligible voters do not have an ID, and found that voter ID reduced turnout in Kansas and Texas by approximately 2–3%.²
- A voter ID and provisional ballot system takes additional time to implement at polling places, causing significant delays and long lines at polling places. This delay can deter turnout for low-income voters and people of color, who are less likely to have flexible employment and child care options that allow them to wait. One study estimated that long lines deterred at least 730,000 Americans from voting in 2012.³
- A voter ID and provisional ballot system takes additional staffing and funding to implement unavailable to most counties. Olmsted County Elections Administrator Pam Fuller estimated that based on the 2016 election, provisional balloting would create an additional 882 hours of work for elections staff and cost Olmsted County at least \$44,000.⁴

¹ Election Fraud Cases, available at https://www.heritage.org/voterfraud/search?combine=&state=MN&year=&case_type=All&fraud_type=24493. Last checked February 26, 2020.

² Government Accountability Office. "Issues Related to State Voter Identification Laws," (GAO-14-634). October 8, 2014. <https://www.gao.gov/products/gao-14-634>.

³ Stewart, Charles, III. *Managing Polling Place Resources*. Voting Technology Project, CalTech/MIT. December 15, 2015. <http://web.mit.edu/vtp/Managing%20Polling%20Place%20Resources.pdf>.

⁴ Carlson, Heather J. "Olmsted election officials oppose push for provisional ballots." *Post Bulletin*, May 11, 2017. http://www.postbulletin.com/news/politics/olmsted-election-officials-oppose-push-for-provisional-ballots/article_2806f6a9-fcb0-5259-b281-49f17a45f1ed.html.

- Voter ID and provisional ballots impact people of color, people under 30, people with disabilities, and elders at a disproportionate rate. It acts as a poll tax.
 - The 2012 Cooperative Congressional Election Study found that .374% of voters in the United States experienced a problem voting that required casting a provisional ballot. But that percentage more than triples to 1.27% for people under 30, more than doubles to .84% for black voters, and more than doubles to .9% for Hispanic voters.⁵ Another study found that 16 states had statistically significant correlations between county rates of provisional ballots cast and rates of minority races, ethnicities, or languages.⁶
 - Approximately 11% of eligible voters do not have a current ID, and the percentage is even greater for voters who are low-income, elderly, persons of color, persons under 30, and persons with a disability.^{7,8}
 - Another study found that nearly 13% of voters agreed that their lack of state-approved ID was a reason that they did not cast a vote in an election.⁹ Yet another study found that over 11% of eligible voters were deterred from voting due to Wisconsin's voter ID law.¹⁰
 - Even if voter IDs are provided for free by the state, there are logistical costs to acquire that identification and supporting documentation: taking time off work, finding child care, arranging transportation, etc. For working families, the elderly, and voters with disabilities, these logistical costs can be prohibitive barriers. Some voters may even need to physically travel to their birth states and pay hundreds of dollars to obtain the required documentation. Voters would be required to return to a county auditor's office within 7 days with necessary proof of ID or residence, which would also be a prohibitive barrier.
- Election administrators are already required to forward abnormalities to law enforcement or county attorneys for investigation. County attorneys are required to prosecute if they believe there is probable cause for a crime.
- Voter ID not required in states like Nebraska and Wyoming. Most states require provision ballots only because they are required to by the National Voter Registration Act. Minnesota is exempt from that Act because we have same day registration.

⁵ See Shaw, Daron, and Vincent Hutchings. *Report on Provisional Ballots and American Elections for the Presidential Commission on Election Administration*. Voting Technology Project, CalTech/MIT. June 21, 2013. <https://dspace.mit.edu/bitstream/handle/1721.1/97658/WP%20115.pdf>.

⁶ Field, Joshua, Charles Posner, and Anna Chu. "Uncounted Votes: The Racially Discriminatory Effects of Provisional Ballots." (Center for American Progress, October 2014). <https://cdn.americanprogress.org/wp-content/uploads/2014/10/ProvisionalBallots-report.pdf>.

⁷ Brennan Center for Justice. "'Citizens Without Proof' Stands Strong". September 8, 2011. <https://www.brennancenter.org/our-work/research-reports/citizens-without-proof-stands-strong>.

⁸ Barreto, Matt, Stephen Nuño, Gabriel Sanchez, and Hannah Walker. "The Racial Implications of Voter Identification Laws in America." *American Politics Research*. November 9, 2018. <https://journals.sagepub.com/doi/10.1177/1532673X18810012>.

⁹ The Texas Voter ID Law and the 2014 Election, University of Houston, August 2015.

¹⁰ Mayer, Kenneth. "Estimating the Effect of Voter ID on Nonvoters in Wisconsin in the 2016 Presidential Election." September 25, 2017.