

**REQUIRING VOTER ID:
BAD FOR VOTER FRAUD,
GOOD FOR VOTER TURNOUT**



By Dan Greenberg

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In 2009, a burgeoning criminal trade in copper wire and other stolen metals sparked a decisive response from the Arkansas General Assembly. Act 390, which the Arkansas House passed with a near-unanimous vote of 99-1, mandates that scrap metal sellers must present a photo ID when selling their product. In fact, it's a rigorous process—the seller's ID is copied and thumbprints and a photo are taken.

Clearly, the Arkansas General Assembly believes that preventing impersonation and fraud is an important goal. Yet remarkably, two years later, some balk at a proposal to require individuals to present a photo ID when voting. If selling scrap metal is important enough to merit extensive identity-checking requirements, shouldn't we consider preserving the integrity of the ballot worthy of at least a simple ID check? The fact is, in Arkansas, voter fraud is easy to get away with—and very hard to prove. In a nutshell, *that is the reason for HB 1797: by requiring photo ID to vote, it would block polling-place vote fraud.*

Opponents of voter ID, such as the Arkansas chapter of the American Civil Liberties Union (ACLU), argue that such measures will decrease voter turnout. But when it comes to issues involving elections, the Arkansas ACLU has been reliably inaccurate. When an Arkansas bill requiring voters to show ID was first proposed, the Arkansas ACLU argued that it was unconstitutional. Shortly thereafter, the United States Supreme Court approved a similar Indiana law by a vote of 6-3. **Last week, ACLU lawyer Graham Catlett argued that a voter ID requirement would prevent some from voting. The evidence is overwhelming that his theory is false. In fact, perhaps because people are more confident of ballot integrity when ID is required, voter ID laws in other states led to increased voter turnout in 2008, especially increased minority and Democratic turnout.**

In the 2008 elections in Georgia (a voter ID state), the state had its largest turnout in history – nearly four million voters. The Republican turnout increased much less than 1 percent; the Democratic turnout was up an astonishing six percentage points, rising from 23 percent of the eligible voting population to 29 percent. Overall turnout in Georgia increased seven percentage points from the 2004 election, more than almost any state in the country. The black share of the statewide vote increased in Georgia from 25 percent in the 2004 election, when the photo ID law was not in effect, to 30 percent in the 2008 election, when it was. By contrast, the Democratic turnout in the neighboring state of Mississippi – which has no voter ID requirement but does have, like Georgia, a large black population – increased by only 2 percentage points. In Indiana, which has the nation's strictest voter ID law,

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Democratic turnout increased by 8 percent, larger than any other state in the country. The nearby state of Illinois, which has no photo ID requirement, also saw an increase in Democratic turnout – but one less than half Indiana’s increase.

Under Arkansas law, poll workers are required to ask voters to show ID when they vote, but voters are free to decline. This minimal policy may convince some law-abiding citizens that the system works, but it utterly fails to deter anyone who wants to impersonate another voter to commit vote fraud.

Do people really cheat at the polls? The official report of the 2005 Carter-Baker federal election reform commission — co-chaired by former President Jimmy Carter — concluded that “there is no doubt that it occurs” and that voter fraud “could affect the outcome of close elections.” The Carter-Baker commission was unequivocal in calling for an ID requirement for voting.

Just a few years ago, a Quorum Court member in eastern Arkansas pled guilty to numerous offenses involving voter fraud. But despite bipartisan accounts of voter fraud (including, for instance, the unanimous and bipartisan findings of a state senate committee a few years ago), Arkansas prosecuting attorneys routinely decline to file charges in such cases. Why? Because voter fraud is notoriously hard to prove and hard to catch. This is especially true for in-person voting fraud, which requires little preparation and leaves little evidence. (Mail-in voter fraud is actually harder to execute repeatedly, due to the document trail that a mail-in vote creates.)

Some argue that small-scale voter fraud, such as a person voting twice, voting under someone else’s name, or similar cons, won’t change the outcome of elections. But not all elections are landslides, especially at the state and local levels. Two legislators on the House State Agencies committee that voted HB 1797 onto the House floor last week won their 2006 primaries by less than ten votes each. In a close election like that, a few fraudulent votes can make a big difference.

HB 1797 would require the use of a provisional ballot for those who don’t bring their ID to the polls. The bill wouldn’t be implemented until the state pays for the creation of free ID documents for those who need them.

In short, voters are right to expect fair elections and ballot integrity. HB 1797 will go a long way toward ensuring both.

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