**DELIBERATING IN A DEMOCRACY**

**MINNESOTA ISSUES**

**Question: Should Minnesota have a Voter Identification Law?**

*Minnesota Session Weekly*

**First Reading: Identification, please?**

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Minnesotans need to have photo identification: to drive a car, order a drink, buy cigarettes or write a check.

But should we need a photo ID in order to vote?

Those who would answer “yes” are making headway in the Legislature.

Twice in one week, members of a House committee voted to require all Minnesotans to present a valid, government-issued photo ID before voting.

On Feb. 8, the House Government Operations and Elections Committee approved HF210, sponsored by [Rep. Mary Kiffmeyer](http://www.house.leg.state.mn.us/members/membersR.asp?id=Rep_Mary_Kiffmeyer) (R-Big Lake). The next day, it approved HF89, sponsored by Rep. Mike Benson (R-Rochester). Both would establish a photo ID requirement and provide a way for voters with the proper documentation to obtain an ID card free of charge.

The votes marked the first time since 2006 that a photo ID measure has cleared a House or Senate committee. Republicans have long sought such a requirement, arguing it is needed to protect the integrity of Minnesota’s elections. DFLers have consistently opposed it on the grounds that it could disenfranchise certain groups like poor people and senior citizens.

The controversial nature of the issue is reflected in the committee’s vote tallies: all nine Republican committee members voted in favor of the bills and all six DFL members voted against them. Despite this, supporters say the issue is simple.

“Letting people vote without a photo ID creates the ideal conditions for fraud — undetectable fraud,” Benson said at a Feb. 3 hearing.

Registered voters in Minnesota currently don’t have to show a photo ID when they check in at their polling place. Instead, they sign their name on a printed roster. Benson and others argue that unless voters are required to show a current ID, there’s no guarantee they’re not voting illegally.

“I was stunned by this procedure that we would not verify who people are, even if they are pre-registered,” said Laura Norlander, who testified Feb. 3 in support of Benson and Kiffmeyer’s bills.

Norlander, who served as an election judge for the first time in 2010, said she was surprised by “how many opportunities there are for fraud” at the polling place. Not only do voters not have to show a photo ID before receiving their ballot; they can also register on the day of the election without any form of identification just by having someone vouch for their identity.

Proponents of voter ID argue that, in theory, someone could spend an entire Election Day going from one polling place to the next, casting illegal votes. All they would have to do is give the name of a registered voter in that precinct and sign the roster.

But does it ever happen?

“I’d be hard pressed to name the last time I became aware of somebody impersonating another voter,” said Ramsey County Elections Manager Joe Mansky.

An oft-cited authority on elections, Mansky said he knows of not a single instance of voter impersonation fraud — the kind of fraud the bills would address — occurring at a polling place. Moreover, he argues it would be difficult to pull off.

“Many of the judges know the voters by sight,” Mansky said. “You run the risk that someone is going to catch on that you’re doing something improper, at which point we report you to the county attorney.”

A voter fraud conviction, which is an automatic felony, is arguably a hefty price to pay for casting a few extra votes, which is why Secretary of State Mark Ritchie says voter fraud is so rare in the state.

“County attorneys are the ones who prosecute illegal voting in our state,” Ritchie said. “Generally, in each major election year, they report that it’s a handful of people prosecuted — almost all of whom are felons who voted before their sentence expired.”

The issue of felons voting illegal is relatively small — 38 cases were prosecuted in 2008 — and would not likely be addressed by a photo ID requirement. But supporters of photo ID say that misses the point: we would never know if someone did impersonate another voter.

“We presently don’t have a system to deter or detect when someone decides to lie about their identity and vote,” Benson said Feb. 9.

Whether there is evidence of fraud, opponents of photo ID legislation argue it would fence some legitimate voters out of the process.

Mary Lou Hill, a 94-year-old resident and member of the League of Women Voters, said many senior citizens lack the mobility and the financial means to track down and purchase birth certificates and other documents that may be required to obtain one of the free photo IDs provided for in the bills.

“There’s no question that these bills will disenfranchise thousands of senior citizens,” Hill said Feb. 3.

The vouching process, which both bills would do away with, is commonly used by people like seniors in assisted living facilities, college students, and people who move frequently and don’t make a habit of updating their driver’s licenses or state IDs. “Putting obstacles in their path to the voting booth,” in Hill’s words, might endanger those voters’ fundamental constitutional right.

The fear among many DFLers is that a photo ID requirement would suppress voter turnout among these key demographic groups by making voting more difficult for them. But Benson said experience shows it isn’t true. In Indiana, where a similar law was enacted, he said voter turnout actually increased — ironically, in counties with a higher percentage of Democratic voters relative to other counties.

“There is no consistent evidence that counties that have higher percentages of minority, poor, elderly or a less educated population suffer any reduction in voter turnout,” Benson said, quoting from a University of Missouri study.

Many other controversies surround Benson and Kiffmeyer’s voter ID proposals. Critics have voiced concern about the provisional ballot system provided for in both bills, and Kiffmeyer’s bill proposes a much broader overhaul of the state’s election laws that several groups have expressed concern about. Both bills are also projected to cost the state in the tens of millions of dollars.

But ultimately, supporters of photo ID believe it’s an idea that has broad public support and whose time has come.

“The perception of the vast majority of Minnesotans is that we have enough wrong with our current system that photo ID is needed,” Benson said.

Both bills now go to the House State Government Finance Committee. There are no Senate companions.

**Should Minnesota have a Voter Identification Law?**

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| --- | --- |
| **YES** | **NO** |
| More than 80 percent of Minnesotans support requiring a photo ID when voting.  In our 21st century society, one needs a photo ID for just about anything –cashing checks, renting cars, buying alcohol; it is not a big deal.  Voter ID law is needed to eradicate voter fraud and restore faith in the election process.  The time and resources it requires to detect and prosecute voter fraud are prohibitive.  Requiring photo ID makes voter impersonation more difficult.  Electronic databases would be cross-referenced instantly when a voter checks in, thus the bill would prevent non-citizens and convicted felons whose rights have not yet been restored, from voting.  In order to make the requirement constitutional, the state would provide a free ID card to any eligible voter who didn’t have one; it would not present a barrier.  The ID would only have to be renewed once every four years – and the bill integrates with the motor vehicle voter registration system for people applying for/ renewing their driver’s license or state issued ID.  Seniors, 65 or older would only have to get an ID once and it would be valid for the rest of their lives.  This bill will enable people to get work, open bank accounts and participate in other normal functions of society that are impossible without photo ID.  Minnesota is not making optimal use of technology to streamline and speed up the election process. Manual data entry of half million handwritten voter registration applications per election would be eliminated, resulting in improved accuracy. The electronic system will instantly update voter registration, and verify a person’s identity, residence and eligibility to vote. What used to take six months of labor will be accomplished automatically on election day.  Minnesotans would save millions of dollars in administrative expenses. | There are many things that majorities may want to do, but our Constitution and Bill of Rights say that majority rule is tempered by minority rights.  Voting is a constitutionally protected right and should not be examined in terms of normal societal or commercial practices but in terms of a fundamental right.  Studies on voter fraud indicate that there is no evidence that it is widespread enough to have altered the outcome of an election in Minnesota.  Voter impersonation, "dead" voters, noncitizen voting, and voting by felons is miniscule. The main abuses are generally absentee-ballot fraud and efforts to intimidate voters on Election Day. None of this will be cured by photo IDs when voting. Our current laws have proven sufficient to deter voter fraud. The penalty can be steep - up to a $10,000 fine and one year in jail  To commit voter fraud one has to get past multiple detection points or check points. One can only vote in person in a finite number of places and within a finite time. To vote, especially in person, there are several steps and checkpoints in place.  Election law experts generally agree that voter impersonation fraud is not a significant threat to the legitimacy of elections. By contrast, fraud involving absentee ballots appears to be a far more common and significant danger.  In 2006 there were, in Minnesota, six alleged cases of illegal aliens seeking to vote out of a total of 2,202,937 votes cast. This represents 0.000003 percent of all votes cast.  Last year, out of more than 2.1 million ballots cast in November’s elections, there were only 38 prosecuted cases of voter fraud and all had to do with convicted felons voting before their rights were restored.  The taxpayer would have to pay this cost.  Even if the ID is free to the voter, there are many hidden costs in tracking down the necessary documents in order to get an ID (ordering a birth certificate from another state, finding transportation to get to a government office and waiting in the necessary lines). Those who are least likely to have ID are more likely to experience barriers in  Getting one.  Requiring a photo ID will disenfranchise voters: people with disabilities, the elderly who no longer drive, members of minority groups, soldiers stationed overseas.  Don’t have government-issued photo ID:  18 % of elderly citizens  15 %of voters earning less than $35,000/yr.  18 % of citizens aged 18-24 (with current address and name)  10 % of voters with disabilities  25 % of African-American voters  Democrats would lose votes if the some of the above-mentioned groups were prevented from voting due to lack of photo ID.  It is estimated that the scanning machines would cost $20 million. The state of Missouri spent $18 million to provide free ID cards to voters there  who could not afford them; Minnesota would have to do the same. Additional costs include a publicity campaign to educate citizens about the new law and a training program for elected officials. Minnesota has a projected $6.2 billion deficit, and this bill would cost the state nearly $40 million to “solve a problem that’s based on a myth about the election system.” |

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