



## TESTIMONY IN OPPOSITION TO HB 197

### Election Law – Qualification of Voters – Proof of Identity

House Ways and Means Committee

February 6, 2020

Submitted by Stacey Jefferson and Margo Quinlan, Co-Chairs

#### Member Agencies:

Advocates for Children and Youth  
Baltimore Jewish Council  
Behavioral Health System Baltimore  
CASH Campaign of Maryland  
Catholic Charities  
Episcopal Diocese of Maryland  
Family League of Baltimore  
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Health Care for the Homeless  
Homeless Persons  
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Maryland Catholic Conference  
Maryland Center on Economic Policy  
Maryland Community Action  
Partnership  
Maryland Family Network  
Maryland Hunger Solutions  
Paul's Place  
Public Justice Center  
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**The Maryland Alliance for the Poor (MAP) strongly opposes HB 197**, which requires election judges to verify a voter's identity through current government-issued identification.

**HB 197 is unnecessary.** HB 197 is a solution to a non-existent problem. The most comprehensive national study on instances of voter fraud found there were only 2,068 alleged election-fraud cases since 2000 – and only ten of these cases were in-person voter fraud. The majority of the fraud cases were related to absentee ballots and registration errors – things that would not be addressed by voter ID laws. Of the 2,068 cases, only two of the alleged cases were in Maryland and neither was in-person voter fraud.<sup>1</sup>

**HB 197 will disproportionately affect communities of color, women, and seniors.** A study out of Harvard and Tufts Universities found that Black voters are still more likely to lack adequate identification to vote under voter ID laws, concluding there is clear racial disparity on voting rights.<sup>2</sup> This complements the study conducted by the Brennan Center which found that 11% of voting-age United States citizens do not have current and valid photo ID and that the percentage was even higher for low-income individuals (15%), minorities (25%), and the elderly (18%).<sup>3</sup> Another recent study conducted after the proliferation of strict voter ID laws in other states demonstrated that strict voter ID laws – like the one proposed by HB 197 – depresses Latino turnout by 9.3 points, Black and African American turnout by 8.6 points, and Asian American turnout by 12.5 points.<sup>4</sup> To quote the study, “we find that strict voter identification laws do, in fact, substantially alter the makeup of who votes and ultimately do skew democracy in favor of whites [...] Voter ID laws may represent one of the Nation's most important civil rights issues.”<sup>5</sup>

**HB 197 will disenfranchise individuals experiencing homelessness.** Keeping personal identification safe and secure without stable housing is nearly impossible; people often become the victims of theft, or their documents deteriorate when exposed to the elements. Institutions such as hospitals, jails, and shelters often discard all of an individual's belongings – including identifying documentation. A person leaving a domestic violence situation may not be able to retrieve important documents. Ultimately, HB 197 would create significant barriers to voting - especially for the most vulnerable Marylanders.

**HB 197 is costly.** In order to inform voters of the changes in required documentation needed to vote, the fiscal note indicates it would cost upwards of \$500,000 just for voter outreach for one year. That does not include the millions that would be lost from the Transportation Trust Fund for providing free identification, the additional provisional ballots that would need to be printed, or

the need to hire additional election judges in order to properly implement the voter identification requirement in populated jurisdictions. The fiscal notes and cost estimates prepared by states that have already adopted strict voter ID laws show that – over the course of three years – it will cost these states \$18.5-\$25 million between voter education, providing identification, and administrative implementation costs.<sup>6</sup> Moreover, most of the states with voter ID laws are facing expensive legal challenges, and through litigation several state laws have been overturned.<sup>7</sup> Just three weeks ago, Missouri’s Supreme Court struck down the state’s voter ID law. As Maryland struggles with a difficult budget, inserting an expensive new voting requirement - when there is no research to indicate widespread in-person voter fraud exists - is a grossly inefficient use of State resources.

**We support providing no-cost photo identification to Marylanders who need IDs, but not as a prerequisite for voting.** While waiving the cost of photo IDs does provide a resource, it does not equate to “free” identification: in order to obtain an ID, individuals need other costly forms of identification, including birth certificates and social security cards. Obtaining a birth certificate – especially an out of state birth certificate – is a costly and timely endeavor. No eligible Marylander should have to pay to cast their vote in an election.

**HB 197 creates an excessive – and unwarranted – barrier to the constitutional right to vote.** Marylanders living in or near poverty are already economically disenfranchised, and HB 197 will generate voter disenfranchisement for Marylanders who lack proper photo identification and the means to obtain required documentation for voting. The right to vote is central to our democracy. Therefore, it must be protected. Any initiative that might disenfranchise eligible voters must meet the highest burden of proof. This bill cannot meet that burden.

**MAP appreciates your consideration and urges the committee to issue an unfavorable report for HB 197.**

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***Marylanders Against Poverty (MAP)*** is a coalition of service providers, faith communities, and advocacy organizations advancing statewide public policies and programs necessary to alleviate the burdens faced by Marylanders living in or near poverty, and to address the underlying systemic causes of poverty.

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<sup>1</sup> Khan & Carson. (2012). Comprehensive Database of U.S. Voter Fraud Uncovers No Evidence That Photo Id Is Needed. “Who Can Vote? Project.” News21. Retrieved from <http://votingrights.news21.com/article/election-fraud/>

<sup>2</sup> *A Dead Simple Algorithm Reveals the True Toll of Voter ID Laws*. January 2018. <https://www.wired.com/story/voter-id-law-algorithm/>

<sup>3</sup> Brennan Center for Justice. (2006). “Citizens Without Proof”. Retrieved from <http://www.brennancenter.org/analysis/citizens-without-proof>

<sup>4</sup> Hajnal, Z., Lajevardi, N., and Nielson, L. (2016). *Voter Identification Laws and the Suppression of Minority Votes*. University of California at San Diego. <http://pages.ucsd.edu/~zhajnal/page5/documents/voterIDhajnaletal.pdf>

<sup>5</sup> Ibid.

<sup>6</sup> The Institute for Southern Studies. (2011). *NC Voter ID Law Could Cost State \$20 Million or More*. [http://www.funderscommittee.org/files/ISS\\_Cost\\_NC\\_Voter\\_ID.pdf](http://www.funderscommittee.org/files/ISS_Cost_NC_Voter_ID.pdf)

<sup>7</sup> National Conference of State Legislatures. (2014, May). *Voter ID in the Courts: An Introduction to legal challenges to voter ID laws*. [http://www.ncsl.org/documents/legismat/elect/Voter\\_ID\\_Courts\\_May2014.pdf](http://www.ncsl.org/documents/legismat/elect/Voter_ID_Courts_May2014.pdf)