

March 3, 2021

Testimony on SB 838
Election Law – Polling Places – Proof of Identity
Education, Health, and Environmental Affairs

Position: Unfavorable

Common Cause Maryland opposes SB 838, which would require proof of identity to vote.

Voting is celebrated as the most fundamental form of civic participation in a democracy, a means by which all voices are counted on an equal basis. Restrictive photo identification requirements undermine this goal because they prevent eligible voters from participating, impose enormous and unjustified costs on states, and do not achieve the goals they claim to work towards.

Studies show that those without ID are disproportionately likely to be Black, Latino, low-income voters, young adults, senior citizens, and people with disabilities. For many of these eligible persons, it is no simple matter to obtain the necessary ID — the hurdles involved can make doing so difficult, and in some cases, impossible.

Having a certified copy of one's birth certificate is a prerequisite to obtaining identification from a DMV. However, many people do not have their birth certificate, have lost it, or never had one in the first place. Given that a driver's license is the most typical form of ID required to vote, it stands to reason that citizens without identification do not necessarily have an easy way to physically get to the offices they need to go to in order to get ID. And even can travel be arranged, the limited hours of service many DMVs provide, combined with long waits at the DMV, creates a third barrier for obtaining identification.

The risk of disenfranchisement is far greater than the evidence of voter fraud in Maryland. Millions of citizens residing in states with these restrictive laws do not currently possess the requisite photo ID needed to vote. And while there is anecdotal evidence of voter fraud, there is no proof that fraud is occurring on a scale that would necessitate this type of measure — or outweigh its risks.

SB 838 would roll back basic protections that allow all registered voters to engage in our democratic process, and we urge an unfavorable report.