

NATIONAL LAW CENTER ON HOMELESSNESS & POVERTY

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TRIAL BEGINS IN NLCHP LAWSUIT TO PROTECT VOTING RIGHTS IN WISCONSIN

Restrictive Photo ID Requirement Would Disenfranchise Homeless and Low Income People

Today, a trial will begin in a lawsuit filed by NLCHP, Dechert LLP, and other national and state partners, in a federal district court in Milwaukee challenging the State of Wisconsin's voter ID law. Plaintiffs in the case argue that allowing only certain types of photo ID imposes a severe burden on the right to vote in violation of the Equal Protection Clause of the 14th Amendment. Plaintiffs also allege that the law violates the 24th and 14th amendments because it effectively imposes an unconstitutional poll tax by requiring prospective voters to purchase documents needed to obtain the free ID necessary for voting, such as a birth certificate. Judge Lynn Adelman is hearing the case.

The Wisconsin law will have a particularly severe impact on homeless voters, many of whom do not have photo ID, nor any way to obtain it. Homeless persons living on the street are unlikely to have identity-proving documents such as a birth certificate or social security card, and getting new copies is cost-prohibitive.

"Protecting homeless persons' right to vote is crucial, since voting is one of the few ways that homeless individuals can impact the political process and make their voices heard," said Maria Foscarinis, Executive Director at the National Law Center on Homelessness & Poverty. "By limiting participation to Wisconsin residents with photo identification, this law effectively silences homeless persons' voices. We cannot allow the state to set this dangerous precedent."

NLCHP, Dechert LLP, and other partners filed their lawsuit on behalf of 17 eligible Wisconsin voters who may not be able to vote if the law is enforced. They include:

* Carl Ellis, 52, is a U.S. Army veteran living in a homeless shelter in Milwaukee. His only photo ID is a Veterans Administration issued ID card, which is not accepted under the law.

* Ruthelle Frank, 84, of Brokaw, does not have a birth certificate. When she was born at home in 1927, her mother recorded her birth in the family Bible. Under Wisconsin's law, she is unable to obtain an ID needed to vote. She herself is an elected official, having served on her village board since 1996. Frank has voted in every election since 1948.

"The Wisconsin voter ID law is an unconscionable effort to decrease voter participation. A homeless veteran who proudly served his country and has a federal ID should not be left out of the democratic process. The same goes for a woman who has voted consistently for more than sixty years. This voter ID law is a solution in search of a problem." said Jeremy Rosen, Policy Director at the Law Center, who is in Milwaukee this week for the trial.

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The National Law Center on Homelessness & Poverty is a leader in the movement to prevent and end homelessness. It works to achieve this through advocacy, public education, and impact litigation.