

NATIONAL LAW CENTER ON HOMELESSNESS & POVERTY

Law Center Wins Landmark Voter ID Case

On April 29, the Law Center prevailed in our voter ID lawsuit against the State of Wisconsin, a case co-counseled with the ACLU Voting Rights Project, the ACLU of Wisconsin, and pro bono attorneys with Dechert LLP. Federal District Judge Lynn Adelman ruled that the Wisconsin voter ID law violates both the US Constitution's guarantee of equal protection under the law and Section 2 of the Voting Rights Act. Judge Adelman's decision means that the voter ID law cannot be enforced, pending the results of an expected appeal to the 7th Circuit Court of Appeals in Chicago.

The Law Center joined the case to protect the rights of 300,000 low income residents of Wisconsin who do not have photo ID and thus would not have been able to vote under the law. Without the ability to vote, these residents would have been unable to vote for candidates who support funding for affordable housing and other human services programs. Or for candidates who don't support those things; this case is about the right to vote, not the partisan ability to vote for a specific party or candidate. Without any evidence of actual or potential fraud, they would have been fully disenfranchised. And 300,000 votes can really make a difference – recent Wisconsin elections for US Senate and Governor had margins of victory that were barely above 100,000.

So why don't these residents of Wisconsin have ID? Because they frequently don't need it and often can't afford it. Many of them have never boarded an airplane and don't drive a car. And others, especially those who are homeless, have lost the documents necessary to obtain a drivers' license or state ID card, such as a birth certificate, and cannot afford the money (ranging from \$20 to more than \$400) needed to obtain or make corrections to them. Still others cannot get transportation to the state DMV, or work during the day and cannot get to the DMV before it closes. These are often people have voted without incident for decades – only to be potentially denied access to the ballot now.

This case is precedent setting in two ways. For our clients, it reaffirms that they matter, and can meaningfully participate in the political process on the same terms as every other voter. And under the law, it establishes for the first time the principle that the Constitution and Voting Rights Act don't allow states to disenfranchise low income people, based on mere speculation about potential voter fraud. This will help the Law Center and other advocates challenge similar laws. It's quite simply a huge win for civil and human rights!