

Hot Topic: States' Voter ID Laws: Could New Jersey Be Next to Implement Strict Measures?

Rutgers expert assesses impact of national trend

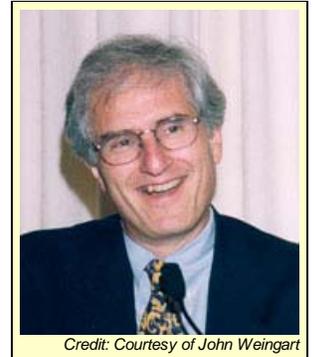
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By Fredda Sacharow

In the last two years, more than 30 states have weighed laws requiring voters to show some form of identification at the polls, such as a driver's license photo. Many of these states have faced legal challenges by voters objecting that the measures are not just restrictive and discriminatory, but also unconstitutional.

Recently, a Pennsylvania Commonwealth Court judge upheld that state's law, and the U.S. Justice Department allowed a similar bill in Virginia to stand. This week, a federal court struck down a Texas law that would have required voters to show a government issued photo ID and South Carolina's law will undergo scrutiny during a trial scheduled for Sept. 24.

Proponents of voter ID laws say they are necessary to prevent fraud at the polls, while critics argue that they are an ill-advised form of voter suppression with a disproportionate effect on minorities, the poor and the elderly.



Credit: Courtesy of John Weingart

Rutgers Today spoke with John Weingart, associate director of Rutgers' [Eagleton Institute of Politics](#), about the impact of this highly controversial trend, what repercussions it is likely to have in November -- and whether New Jersey voters could be next in line. Before joining the Eagleton staff in 2000, Weingart worked under the administrations of two Democratic and two Republican governors in Trenton.

Rutgers Today: Please tell us how these voter identification regulations work and what voters in states where they have been enacted can expect when they appear at their local schools or fire halls to cast their ballots this fall.

John Weingart: These laws add a new requirement that voters be allowed to vote only if they present an identification card with photo. Most if not all states require that the ID have been issued by a government agency, but the definition of acceptable agencies and documents varies.

Rutgers Today: What political factors came together in the past couple of years to drive this apparent frenzy of new voter ID laws? Is it your sense that the majority of U.S. citizens are in favor of these laws or opposed?

Weingart: The massive Republican tide in the 2010 election included victories by enough new governors and state legislators to give the party new or increased political dominance in many states. Enacting voter ID laws is one of the ways in which they are exercising this power. The reasons depend on your perspective. Republicans, who have provided all or almost all the support for these measures, say that ensuring that no votes are cast that shouldn't be cast outweighs the risk that some citizens who are otherwise entitled to vote may be disqualified because they aren't carrying the correct form of identification. Democrats, on the other hand, maintain that since there is no substantial evidence of voter fraud in any recent election, the real motivation behind these laws is to reduce turnout among some demographic groups that, in general, are both more likely to have trouble producing the specified type of photo ID and are less inclined to vote for Republicans. As for public opinion, my guess is that only the most active voters on either side are particularly familiar with the issue and that most of them view it through their own partisan lens.

Rutgers Today: Historically, has voter fraud at the polls proven to be a major factor in U.S. elections? Are there parts of the country where it has been more rampant than others?

Weingart: There are some facts and much folklore suggesting significant voter fraud in various states including Texas and Louisiana and specific cities including Chicago and, in our backyard, Jersey City, going back as far as the nation's founding through perhaps the 1960 presidential election. But in recent decades, proven incidents are very few and far between. It is true that when close elections lead to challenges and recounts, the final tallies almost always change at least a little, but that appears to be due to confusion at polling places and in election night vote counting rather than to any deliberate individual or organized fraud.

Rutgers Today: Bob Previdi of the non-partisan Pennsylvania Voter ID coalition recently suggested on National Public Radio that the number of people disenfranchised by his state's law could run between 500,000 and one million. Nationwide, which groups are likely

to feel the greatest impact from these laws?

Weingart: The fear of opponents is that students and people who are poor or aged may be disproportionately turned away because they do not have, or carry, a driver's license or other photo ID, and that the requirement may scare away some immigrants who, although they have become citizens, may be confused or intimidated by the voting process.

Rutgers Today: In New Jersey, legislators from the state's Ninth District (Atlantic, Burlington and Ocean counties) have introduced Assembly Bill 674 and Senate Bill 200, which would require that Garden State voters produce identification before being permitted to vote. Analysts say these bills have little hope of advancing in the current political climate in Trenton, but that all bets are off if the State House changes hands down the road. Do you see a voter ID law in New Jersey's future?

Weingart: The only ways such bills could be enacted in New Jersey are if a credible, non-partisan study demonstrated the existence of voter fraud on any significant scale, or if Republicans gained control of both houses of the Legislature while retaining the governorship and decided to follow the lead of the other states. Neither appears likely anytime soon. In the interim, I hope some type of technological change emerges – perhaps a new, acceptable ID that is easily and readily available to all – that has the effect not only of increasing voter turnout and turnout but also of minimizing even the appearance of potential for abuse or fraud.

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