

Barriers to Voting

NCJ 

National Council of Jewish Women



Recognizing measures that make it harder to register to vote and/or cast a ballot is an important aspect of protecting the vote. Below are just a few ways in which some states are creating barriers to voting.

Voter ID

One common approach to block access to voting is voter ID laws. Voters should be able to prove their identity before casting a ballot; however, the burden of proof must not prevent eligible voters from exercising their rights. Unfortunately, many states have enacted or are considering legislation that requires voters to possess specific government-issued photo IDs, such as a state driver's license with current address, a passport, or military ID. Voter IDs usually cost money and take time to obtain, and eligible voters without photo IDs are disproportionately people of color or those with low-incomes. These laws are also particularly harmful to transgender and gender nonconforming individuals, young voters, senior citizens, and individuals with disabilities.

Know the Facts:

- **Wide-spread voter fraud is nonexistent.** Proponents of voter ID laws claim the laws prevent in-person voter fraud, but in-person voter fraud in the US is exceedingly rare. *The Washington Post* found only four cases of voter fraud in the 2016 election out of more than 165 million ballots cast.
- **Voter ID laws often require unnecessarily strict forms of identification.** Voter ID laws differ by state, but most states require a government-issued photo ID with the voter's current address. Voters must visit a local Department of Motor Vehicles or other government agency with limited hours of operation to obtain IDs. Additionally, most states charge a fee for a government-issued photo ID. These provisions hinder low-income workers, the elderly, and rural voters from obtaining the required documentation.
- **Photo ID requirements disenfranchise marginalized communities.** Studies from the Brennan Center for Justice show that 11 percent of eligible voters — 21 million individuals — do not have updated, state-issued photo IDs. Black, Indigenous, and people of color (BIPOC) communities are overrepresented in this population. Further, transgender and gender nonconforming individuals are disproportionately

harmed by ID requirements because the gender markers on their federal and state documentation may not align, and their photo ID may not match their gender/physical appearance.

- **Voter ID laws are like a modern-day poll tax.** The expenses for obtaining photo IDs are significant, disproportionately harming low-income voters. When considering documentation, travel, and waiting time, costs typically range from \$75 to \$175. The inability to pay for a voter ID should not block potential voters from the polls; the 24th Amendment, ratified in 1964, bans “both Congress and the states from conditioning the right to vote in federal elections on payment of a poll tax or other types of tax.”

Voter Purges

Voter purges remove voters from registration lists under the guise of keeping those lists up to date. When done properly, maintaining and updating voter rolls are important for election integrity. However, many states including Ohio, Georgia, and Kentucky have removed voters without adequate cause, blocking them from the ballot. Some voters do not even know they can no longer vote until they arrive at the polls, where it is frequently difficult to remedy.

Criminal Disenfranchisement

Millions of Americans, disproportionately BIPOC communities, have been blocked from the ballot by criminal disenfranchisement laws, which strip the right to vote from people with past criminal convictions. These laws **differ by state**; in some states, voting rights are automatically restored to individuals upon release from prison, while in others, people with felony convictions can be blocked for lengthy periods of time, or even barred.

Diluting the Vote

Gerrymandering — drawing political districts for the benefit of a particular party or group — is a threat to voting rights because it can minimize the power of a vote. Districts are drawn at the state level after each decennial census by a variety of methods; some states have redistricting commissions, while others leave it to the legislature (and thus inevitably to the party in power). When districts are drawn to concentrate members of a particular party or group, the vote of each individual member of that group is diluted because the district is essentially guaranteed a specific election outcome.

Ignoring Accessibility

Election materials and polling places must be accessible under federal law. Language-minority voters are entitled to assistance and materials in their own language (within certain parameters), and voters with disabilities are entitled to receive assistance to vote, if requested. This often does not happen, however, due to budget constraints,

intentionally not providing materials, etc. In addition to accessibility, polling locations can present other barriers to voting. For example, a polling place within a police station can suppress voter turnout, particularly for voters of color, given the fraught history and relationship between communities of color and the criminal legal system.