

## WISC Voter Suppression Presentation

Kansas put more than 50,000 voter registrations on hold. Former-Georgia Secretary of State Brian Kemp enforced exact match during his tenure. He said this was done to ensure that each and every voter file matches against other databases in the state's records. He put about 51,000 registrations on "bureaucratic limbo." 80% of those registrations put on hold were people of color.

These are only two of many examples in which elected officials, sadly one party more than the other, are seeking to make the electorate more manageable to suit their political agenda in a rapidly changing country. It's projected that in 2044 no one ethnic group will be the majority.

**Elected officials engage in creating and implementing these "voter fraud elimination laws" to defend against an ostensible threat.**

This threat could not be further from the truth. It's voter suppression through a complex set of laws meant to suppress certain votes. This usually results in people of color inadvertently being purged or people of color intentionally being purged. The impact is the same.

**The real reason that these voting changes happen is... to stop certain people from voting.** With sophisticated software and voter data, doing this has never been easier.

The rush to purge voters involves the manufactured problem of voter fraud. In a 14-year study, out of 834,065,926 votes only 35 credible instances of impersonation fraud were found.

The indigenous population in North Dakota were forced to scramble before election day after the Supreme Court declined to overturn their voter ID law. This law required native people to have ID when many did

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not have one and would burdens to acquire one given the make-up of their street addresses.

Few examples have been as blatant as Pennsylvania's state House Republican leader Mike Turzai in 2012 "...Voter ID, which is gonna allow Governor Romney to win the state of Pennsylvania, done..." A great deal of this happens at the hands of state legislators. Much of this occurs at the state level.

In the first year of the President's administration he picked the same Secretary of State from Kansas who put thousands of votes on hold to head his election integrity commission. Mr. Kris Kobach was famous for repeating the President's false charge that "3-5 million illegals voted."

Although this commission was headed by the Vice President and tasked with rooting out voter fraud many Secretaries of State rejected the request and protected their voter rolls. Unfortunately, that didn't stop some voters from pulling their voter registration.

Ohio was recently allowed to continue voter caging by the Supreme Court. **"What's voter caging?"** You might ask. This is the practice where voters are mailed non-forwardable post-cards if after two years they fail to vote.

They are required to mail back the post-card to be able to stay on the voter rolls. If they fail to vote over the course of four years the... assumption is ... you moved.....let's take you off. You're free to register again. That is unless, you haven't moved and go to your voting location only to find that you cannot vote.

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Elected officials implementing voter caging don't care if you moved, are living abroad, or threw out the post-card by mistake. There's no forwarding or checking up on you to make sure you received it.

The Supreme Court decided that since the acts of not-voting and not mailing back the card constitute a two-step process it is therefore not illegal under the National Voter Registration Act nor the Help America Vote Act.

These are just some of the creative ways to stop people from voting through complex law. There are hundreds if not thousands of polling sites closed, it's said, because of cost or consolidating locations. For instance, Randolph County is a black county in Georgia where the state almost closed 75% of the polling places (7 out of 9.) That doesn't seem like a cost-saving measure to me.

### **What are some of the solutions to correcting these complicated voter suppression tactics?**

It's important to highlight the important work done, largely, by communities of color like bringing water to people standing on line for hours in Georgia. Or the organizing that got us a yes vote on Amendment 4 resulting in the largest expansion of the right to vote since the 26<sup>th</sup> Amendment.

For that, we should pause and take a look at how the Supreme Court forced us to take a step back.

The Shelby v. Holder decision of 2010 struck down sections 4 and 5 of the Voting Rights Act. Section 5 of the VRA requires that certain jurisdictions clear all of these election law changes like all of these poll closures or exact voter match in Georgia through the Justice

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Department before implementation. Section 4 deals with the formula of where Section 5 applies because those covered districts and states have a history of discrimination.

The Voting Rights Advancement Act of 2017 introduced by Senator Leahy and Representative Sewell present a good solution to Shelby and a check on states trying to make laws with the aim of suppressing the vote.

The catalyst to be a covered district would become an instance of a voting rights violation within the last 15/or/10 years. Meaning has there been a case, injunction, decree or other reason to believe there's been a voting rights violation in a particular state.

Senator Cardin states, "that more than 7 percent of the voting-age African-American population, or over 2 million African-Americans, are disenfranchised" Total 6 million have lost their access to vote because of incarceration. The Democracy Restoration Act of 2017 would fix this by restoring the right to vote to 4.7 million formerly incarcerated men and women.

Rep. John Lewis' bold Voter Empowerment Act of 2017 includes some of the above reforms but goes further still.

The bill allows for internet voter registration, same-day and early voter registration, lowering the registration age down to 16, a pilot program permitting proxy voting for people with disabilities, prohibition of voter caging (like I mentioned earlier in Ohio), election security with back-up paper ballots, and banning election officers like Secretaries of State from running in elections they're overseeing. I still haven't listed everything in the bill.

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That bill is one section of one of three buckets of H.R.1.

Unfortunately, not a lot has been happening in Congress on this front. One of the few areas of clear agreement is on the need to do something about election security. Things like the Honest Ads Act to ensure only domestic dollars and involvement go into election spending. Also additional money to fund the Election Assistance Commission to safeguard against foreign tampering of our elections.

Nothing of what I just said, sounds like a solution to voter suppression. But with a new House Majority able to pass legislation that one day could be made into law.

A Congressional staffer talked about going from a time where people weren't engaged to people talking about state House races.

We have an unprecedented engagement in our political process and that presents a lot of opportunity to get some of these things done.

Thank you.