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FOR JUSTICE  

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THE CHALLENGE OF  
OBTAINING VOTER  
IDENTIFICATION

Keesha Gaskins and Sundeep Iyer

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## FOREWORD

“All men are created equal.” This shining vision of political equality, set out in the Declaration of Independence, makes the United States exceptional, two centuries later.

Thus it is wrong to enact laws to make it harder for some Americans to vote — not only wrong, but utterly at odds with our most basic national values. Every eligible citizen should be able to vote. And every citizen should take the responsibility to do so. One person, one vote: no more, no less.

Yet since January 2011, partisans in 19 states have rushed through new laws that cut back on voting rights. In a comprehensive study released last October, the Brennan Center concluded these laws could make it far harder for millions of eligible citizens to vote. Fortunately, the Justice Department, courts, and voters have blocked or blunted many of these laws. Many, but not all. And those who would curb the franchise are fiercely fighting in court, going so far as to insist that the Voting Rights Act is in fact unconstitutional.

Among the most controversial measures are new voter identification laws. They require voters to produce specific government papers, usually with a photo and an expiration date, to cast a ballot. Let’s be clear: Election integrity is vital. The problem is not requiring voter ID, per se — the problem is requiring ID that many voters simply do not have. Study after study confirms that 1 in 10 eligible voters lack these specific government documents.

Federal courts have previously declared that states with restrictive voter ID laws must make the necessary paperwork available for free. Problem solved? Hardly. This report conclusively demonstrates that this promise of free voter ID is a mirage. In the real world, poor voters find shuttered offices, long drives without cars, and with spotty or no bus service, and sometimes prohibitive costs. For these Americans, the promise of our democracy is tangibly distant. It can be measured in miles.

It need not be this way. Once partisan “voting wars” have subsided, we can easily move to modernize our ramshackle voter registration system. Using digital technology, states can assure that every eligible voter is on the rolls. That would add millions to the rolls, cost less, and curb the potential for fraud.

Meanwhile, we face a critical national election that may be marred by vast numbers of Americans effectively blocked from the vote. We can and must make sure that the reality of 2012 does not repudiate the civic creed first articulated in 1776.

### **Michael Waldman**

President, Brennan Center for Justice at New York University School of Law  
July 2012



## EXECUTIVE SUMMARY

Ten states now have unprecedented restrictive voter ID laws. Alabama, Georgia, Indiana, Kansas, Mississippi, Pennsylvania, South Carolina, Tennessee, Texas, and Wisconsin all require citizens to produce specific types of government-issued photo identification before they can cast a vote that will count.<sup>1</sup> Legal precedent requires these states to provide free photo ID to eligible voters who do not have one.<sup>2</sup>

Unfortunately, these free IDs are not equally accessible to all voters. This report is the first comprehensive assessment of the difficulties that eligible voters face in obtaining free photo ID.

The 11 percent of eligible voters who lack the required photo ID must travel to a designated government office to obtain one.<sup>3</sup> Yet many citizens will have trouble making this trip. In the 10 states with restrictive voter ID laws:

- Nearly 500,000 eligible voters do not have access to a vehicle and live more than 10 miles from the nearest state ID-issuing office open more than two days a week. Many of them live in rural areas with dwindling public transportation options.
- More than 10 million eligible voters live more than 10 miles from their nearest state ID-issuing office open more than two days a week.
- 1.2 million eligible black voters and 500,000 eligible Hispanic voters live more than 10 miles from their nearest ID-issuing office open more than two days a week. People of color are more likely to be disenfranchised by these laws since they are less likely to have photo ID than the general population.<sup>4</sup>
- Many ID-issuing offices maintain limited business hours. For example, the office in Sauk City, Wisconsin is open only on the fifth Wednesday of any month. But only four months in 2012 — February, May, August, and October — have five Wednesdays. In other states — Alabama, Georgia, Mississippi, and Texas — many part-time ID-issuing offices are in the rural regions with the highest concentrations of people of color and people in poverty.

More than 1 million eligible voters in these states fall below the federal poverty line and live more than 10 miles from their nearest ID-issuing office open more than two days a week. These voters may be particularly affected by the significant costs of the documentation required to obtain a photo ID. Birth certificates can cost between \$8 and \$25. Marriage licenses, required for married women whose birth certificates include a maiden name, can cost between \$8 and \$20. By comparison, the notorious poll tax — outlawed during the civil rights era — cost \$10.64 in current dollars.<sup>5</sup>

The result is plain: Voter ID laws will make it harder for hundreds of thousands of poor Americans to vote. They place a serious burden on a core constitutional right that should be universally available to every American citizen.

This November, restrictive voter ID states will provide 127 electoral votes<sup>6</sup> — nearly half of the 270 needed to win the presidency.<sup>7</sup> Therefore, the ability of eligible citizens without photo ID to obtain one could have a major influence on the outcome of the 2012 election.



## I. INTRODUCTION

During the 2011-12 legislative sessions, states enacted an unprecedented number of laws restricting access to voting. Voter ID laws are the most common type of restriction. Ten states — Alabama, Georgia, Indiana, Kansas, Mississippi, Pennsylvania, South Carolina, Tennessee, Texas, and Wisconsin<sup>8</sup> — now have restrictive “no-photo, no-vote” voter ID laws.<sup>9</sup>

Many American citizens lack the documentation these laws require. In fact, more than 1 in 10 voting-age citizens do not have current, government-issued photo ID.<sup>10</sup> Some populations lack these documents at even higher rates: 25 percent of African-Americans, 16 percent of Hispanics, and 18 percent of Americans over age 65 do not have such ID.<sup>11</sup> Data supplied by Texas and South Carolina also show that poor and minority voters are substantially less likely to have the kind of photo ID these states require.<sup>12</sup>

Of course, 9 in 10 Americans do have photo IDs. These documents are used to drive cars, board airplanes, enter government buildings, and purchase various consumer products. Accordingly, many Americans might find it difficult to understand how so many of their fellow citizens lack such basic documentation. They might also assume that it must be relatively easy for these citizens to get photo ID. After all, all states with restrictive voter ID laws provide some way for voters to obtain a free one.<sup>13</sup>

However, making the ID itself free does not address the significant obstacles that can make it difficult for Americans who lack the required photo ID to obtain one. Many of these voters do not have a car and will have to rely on public transportation — where it exists — to travel to a far-away government office. That office may be open only a few hours a week, and rarely on weekends or in the evening. Voters may have to miss work or arrange for childcare to make the trip. And even if they can make it there, they may not be able to afford the costly supporting documentation — such as birth certificates or marriage licenses — required to apply for photo ID.

This report describes the burden on Americans who must obtain government-issued photo ID to comply with restrictive voter ID laws. The study demonstrates that many rural, urban, poor, and minority voters must overcome substantial obstacles in order to retain their right to vote.



## II. MORE THAN 10 MILES FOR VOTING RIGHTS

To apply for a free photo ID, eligible voters must travel to a designated government office. That can be hard for many Americans who live and work in areas far from an ID-issuing office. By definition, eligible voters who need photo ID will not have a driver's license, so they cannot drive themselves to a government office.

In this report, "ID-issuing offices" are state offices that issue new photo identification and are open more than twice a week. Offices open twice a week or less are "part-time ID-issuing offices."<sup>14</sup> All distances discussed in this report are straight-line distances. That is, they do not represent travel distances. Therefore, our counts of people living more than 10 miles from an ID office significantly underestimate the number of people who must *travel* more than 10 miles to obtain free ID. Appendix A explains in detail all methodology and definitions used in this report.

Table 1 provides the percentage of eligible voters in each restrictive voter ID state who live more than 10 miles from a state ID-issuing office. Overall, **more than 10 million eligible voters live more than 10 miles from their nearest state ID-issuing office.**<sup>15</sup> In Mississippi, Alabama, and Wisconsin, the burden of traveling to the ID office is particularly severe: More than 30 percent of voting-age citizens must travel more than 10 miles to the nearest ID-issuing office.

	Voting-Age Citizens More Than 10 Miles from Nearest State ID-Issuing Office	% of State's Voting-Age Citizens
Mississippi	746,316	34.8%
Alabama	1,137,724	32.7%
Wisconsin	1,254,320	30.1%
Pennsylvania	2,273,960	24.0%
Tennessee	960,074	21.0%
Georgia	1,290,092	19.9%
Kansas	261,996	13.2%
Texas	1,936,097	12.7%
South Carolina	273,150	8.2%
Indiana	159,536	3.4%
<b>Total</b>	<b>10,333,265</b>	<b>17.5%</b>

Table 1: Citizen Voting-Age Population Located More than 10 miles from Nearest ID-Issuing Office. The table displays the number of voting-age citizens (CVAP) who live in census blocks that are in their entirety more than 10 miles from the nearest ID-issuing office that is open more than two days a week. It displays this number as a percentage of the total citizen voting-age population.

Voter ID laws are especially burdensome for citizens in high-poverty areas. Not only are these eligible voters among the least likely to have photo ID,<sup>16</sup> they are also among the least likely to have access to government services, such as public transportation.<sup>17</sup> In the 10 states with restrictive laws, **1.2 million eligible voters whose incomes fall below the federal poverty line live more than 10 miles from their nearest state ID-issuing office.**<sup>18</sup>

Voter ID laws also place a particular burden on black and Hispanic eligible voters, who are less likely to have ID than the general population.<sup>19</sup> In these 10 states, **1.2 million black and 500,000 Hispanic eligible voters live more than 10 miles from their nearest state ID-issuing office.**<sup>20</sup>

### A. The Challenge of Finding Transportation to ID-Issuing Offices

The distances that many voters must travel to their nearest ID-issuing office will be particularly burdensome for voters who do not have vehicle access.

Table 2 estimates the number of voting-age citizens in each restrictive voter ID state who do not have vehicle access. It also displays this number as a percentage of the state’s total voting-age citizen population. The table demonstrates that in the 10 restrictive voter ID states, more than 1 in every 20 voting-age citizens do not have vehicle access.<sup>21</sup>

	Voting-Age Citizens Without Vehicle Access	% of Voting-Age Citizens Without Vehicle Access	Voting-Age Citizens Without Vehicle, More Than 10 Miles from State ID-Issuing Office	% of Voting-Age Citizens Without Vehicle Access Who Live More Than 10 Miles from State ID-Issuing Office
<b>Pennsylvania</b>	985,414	10.4%	135,544	13.8%
<b>South Carolina</b>	222,144	6.7%	7,251	3.3%
<b>Mississippi</b>	143,933	6.7%	48,329	33.6%
<b>Georgia</b>	400,841	6.2%	66,516	16.6%
<b>Wisconsin</b>	256,981	6.2%	47,161	18.4%
<b>Alabama</b>	213,386	6.1%	57,285	26.8%
<b>Indiana</b>	268,535	5.8%	3,235	1.2%
<b>Tennessee</b>	262,954	5.7%	40,089	15.2%
<b>Texas</b>	831,652	5.4%	59,740	7.2%
<b>Kansas</b>	95,973	4.8%	7,373	7.7%
<b>Total</b>	3,681,813	6.6%	472,523	12.8%

Table 2: Voting-Age Citizens without Vehicle Access. The table estimates the number of voting-age citizens who do not have vehicles available to them. It also estimates this as a percentage of the total voting-age citizen population in the state, and it provides the number and percentage of voting-age citizens without a vehicle who live more than 10 miles from their nearest ID-issuing office.

Many eligible voters who do not have vehicle access live in urban areas, close to an ID-issuing office. But as the third column in Table 2 demonstrates, many who do not have vehicle access actually live a significant distance from an ID-issuing office. **In the 10 states with restrictive voter ID laws, more than 450,000 eligible voters do not have vehicle access and live more than 10 miles from their nearest state ID-issuing office.** Almost all of these citizens live in rural areas. Not only are they among the most likely not to have photo ID, they are also the most likely to have difficulty traveling to an ID-issuing office to obtain one.

Citizens with limited vehicle access will be highly dependent on public transportation to obtain the ID necessary for voting. However, the states that passed the most restrictive voter ID laws are among the nation’s worst investors in public transportation. Table 3 displays the per capita state public transportation funding in 2009 in each restrictive voter ID state. As reference points, the table also reports the states that provide the highest, median, and lowest levels of per capita public transportation in the country.<sup>22</sup>

State	Per Capita Investment in Public Transportation by State
New York (highest)	\$224.85
Pennsylvania	\$94.77
Wisconsin	\$22.31
Indiana	\$8.63
Tennessee (median)	\$5.59
Kansas	\$2.14
South Carolina	\$1.40
Texas	\$1.16
Mississippi	\$0.54
Georgia	\$0.54
Alabama (lowest)	State does not provide public transportation funding

Table 3: Reported per capita Investment in Public Transportation. The table shows the per capita investment on public transportation in the 10 restrictive voter ID states, as well as the national high and low amounts of per capita investment. New York does not have a restrictive voter ID law; it is shown here as a reference point.

Seven of the ten restrictive voter ID states rank in the bottom half of the country when it comes to investment in public transportation. Nationally, only four states that spend money on public transportation provide less per capita funding than Mississippi and Georgia. Alabama relies solely on federal funds and does not invest any state money in public transportation. The state is tied for last in the country in public transportation funding.<sup>23</sup>

Access to public transportation is declining across the country, particularly in rural areas.<sup>24</sup> Nationally, 3.5 million rural residents — 4 percent of the nation’s rural population — lost access to bus, ferry,

or rail transportation between 2005 and 2010. Alabama's situation is particularly acute.<sup>25</sup> The state relies solely on funding from the federal government for public transportation projects. As a result, public transportation in Alabama's rural areas is deteriorating. According to a 2011 U.S. Department of Transportation report, approximately 700,000 people in rural Alabama communities lost access to intercity transit service in the five years between 2005 and 2010. Those 700,000 residents comprised 29 percent of the state's 2.4 million rural residents.<sup>26</sup>

## B. The Challenge of Finding an Open ID Office

Even if a registered voter can travel to an ID office, the nearest location may not keep standard business hours (defined as eight hours a day, five days a week). Many ID offices have reduced hours: They are open less than five days per week or fewer than eight hours per day. Others have irregular hours: They are not open every day and have an unusual pattern of business hours.

Reduced and irregular hours may pose significant problems for eligible voters who need photo identification. Citizens may have to take time off from work if the ID-issuing office does not have Saturday or late night hours. States guarantee employees time off to vote, but none provide similar protections for workers who must take time off to obtain the necessary photo ID for voting. Irregular hours may also be confusing and create a significant deterrent to obtaining ID.

Examples of reduced and irregular hours in restrictive voter ID states include:

- **Offices without Regular Business Hours:** In Wisconsin, Alabama, and Mississippi, less than half of all ID-issuing offices in the state are open five days a week.<sup>27</sup>
- **Limited Weekend Hours:** In South Carolina, only six of the state's 68 ID offices are open on Saturday. No state ID-issuing offices are open on Saturdays in Alabama, Kansas, Mississippi, Texas, and Wisconsin. All ID-issuing offices in restrictive voter ID states are closed on Sunday.<sup>28</sup>
- **Reduced Business Hours in Areas with High Concentrations of People of Color:** Many of the offices with limited hours are in areas with high concentrations of minority voters. In Texas, 40 ID-issuing offices are open three days per week or less; the majority of these are in the rural border region, home to a heavy concentration of eligible Hispanic voters. In Georgia, Mississippi, and Alabama, many of the ID offices with limited hours are located in the areas with the highest concentrations of black voters.<sup>29</sup>
- **Idiosyncratic Hours:** Some ID offices maintain hours so bizarre that it is necessary to consult a calendar to determine when the office is open. The office in Sauk City, Wisconsin is open only on the fifth Wednesday of any month. But only four months in 2012 have five Wednesdays. Other offices in Wisconsin are open only once every two months: For example, the office in Phillips is open only on the first Wednesday of February, April, June, August, October, and December. In Alabama, the Rockford office is open only on the third Thursday of the month. In Mississippi, the Woodville office is open only on the second Thursday of each month.<sup>30</sup>

**January**

S	M	T	W	T	F	S
1	2	3	4	4	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

**February**

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29			

**March**

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

**April**

S	M	T	W	T	F	S
1	2	3	4	4	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

Table 4: Sauk City, Wisconsin ID-Issuing Office, Calendar of Open Days. This calendar of the first four months in 2012 highlights the days that the Sauk City office was open between January and April 2012.

**C. The Challenge in Rural Areas: Limited ID Office Access**

Residents of some rural communities in the 10 states with restrictive voter ID laws will find it particularly hard to travel to an ID-issuing office or a part-time ID-issuing office.

*1. The Southern Black Belt*

The large rural concentrations of black voters in Mississippi, Alabama, and Georgia form a geographically distinct “black belt.” Large portions of the “black belt” in each of these states are located a significant distance from state driver’s license offices.

For instance, in 11 contiguous counties in Alabama,<sup>31</sup> all of which are squarely located in the black belt, all state driver’s license offices are part-time and are open only one or two days per week.<sup>32</sup> More than 135,000 eligible voters live in these 11 counties. Nearly half of them are black, and the black poverty rate is 41 percent.<sup>33</sup>

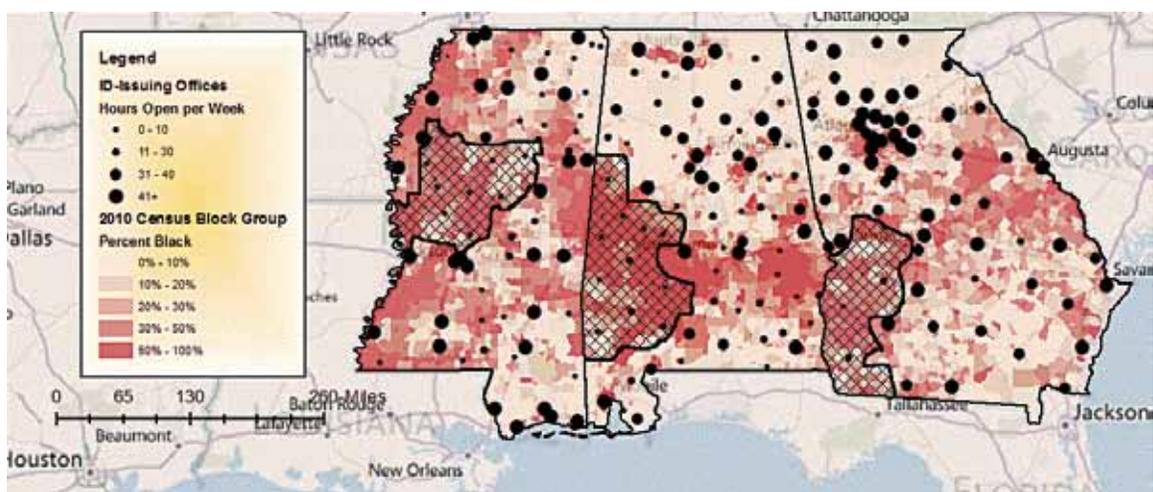


Figure 1: Percentage Black and State Driver's License Offices, Mississippi, Alabama, and Georgia. The map demonstrates that in the areas with the greatest concentrations of rural black voters, no state driver's license offices are open more than two days per week. The figure also shows that many of these states' part-time offices are located in the areas with the highest concentrations of black voters. The crosshatched areas outline the 13 contiguous "black belt" counties in Mississippi, 11 contiguous "black belt" counties in Alabama, and 21 contiguous "black belt" counties in Georgia where all state driver's license offices are open two days per week or less.

Voters living in the black belt in Georgia and Mississippi may face similar hurdles. As in Alabama, there are 21 contiguous counties in Georgia and 13 contiguous counties in Mississippi<sup>34</sup> — all within the black belt — that do not have a single full-time driver's license office.<sup>35</sup>

At first glance, the situation in Georgia is better than it is in Alabama since Georgia requires county offices to provide free voter ID.<sup>36</sup> But research conducted by the Brennan Center found that many citizens may have trouble getting free ID from Georgia's county offices. First, most county offices in Georgia do not print their business hours in an easily accessible location online, and some have even printed incorrect office addresses or phone numbers online.<sup>37</sup>

Second, even when contacted directly, county offices in Georgia frequently gave incorrect information about free IDs.<sup>38</sup> In 12 of the 21 county offices in the Georgia black belt, election officials could not correctly describe what forms of identification would be required to obtain a free photo ID.<sup>39</sup> For instance, officials in the Bartow and Sumter County offices said that applicants must show a Social Security card to obtain free ID, but the Georgia law has no such requirement.<sup>40</sup> In four other offices, the election officials who answered our phone calls said they knew very little about free voter IDs. The remaining five offices in the Georgia black belt did not answer multiple calls from the Brennan Center.<sup>41</sup>

Mississippi's law also requires county offices to provide ID.<sup>42</sup> The Mississippi ID requirement must be pre-cleared by the Department of Justice before it can take effect.<sup>43</sup> As of the date of this publication, the Department has not issued a determination on the law. Without additional information we cannot assess how Mississippi county offices will respond to requests for free photo ID.

More than 500,000 eligible voters live in the 45 black belt counties, highlighted in Figure 1.<sup>44</sup> Rural public transportation in these areas is limited,<sup>45</sup> which could prove particularly challenging for the 50,000 eligible voters in these areas who do not have vehicle access.<sup>46</sup> In addition, the heavy concentrations of rural poverty suggest that transportation infrastructure is less likely to be well-developed.<sup>47</sup> This means that many eligible voters in these rural black belt areas may have significant difficulty traveling to an office to obtain photo ID.

## 2. The Texas Border Region

Two areas along the U.S.-Mexico border — one in west Texas and the other in south Texas — are home to sizable rural Hispanic populations but few or no ID-issuing offices. These areas are displayed in Figure 2.<sup>48</sup> Across the 32 counties in these regions, there are approximately 134,000 voting-age citizens. About 61 percent of them are Hispanic, which is almost twice the relative concentration of Hispanics in the rest of the state. The poverty rate is 22.4 percent, about 30 percent higher than the rest of the state.<sup>49</sup> Thus, there is a disproportionately high concentration of people who will need free ID in the Texas border region.

But 9 of the 11 offices in these 32 counties are open part-time (only once or twice per week). Some voters, like those in Cotulla, a small rural town in south Texas, live an hour's drive from the nearest part-time ID-issuing office, and that location is often open only one day per week. Accessing photo ID could be especially hard for the nearly 10,000 eligible voters in these 32 counties who do not have vehicle access.<sup>50</sup>

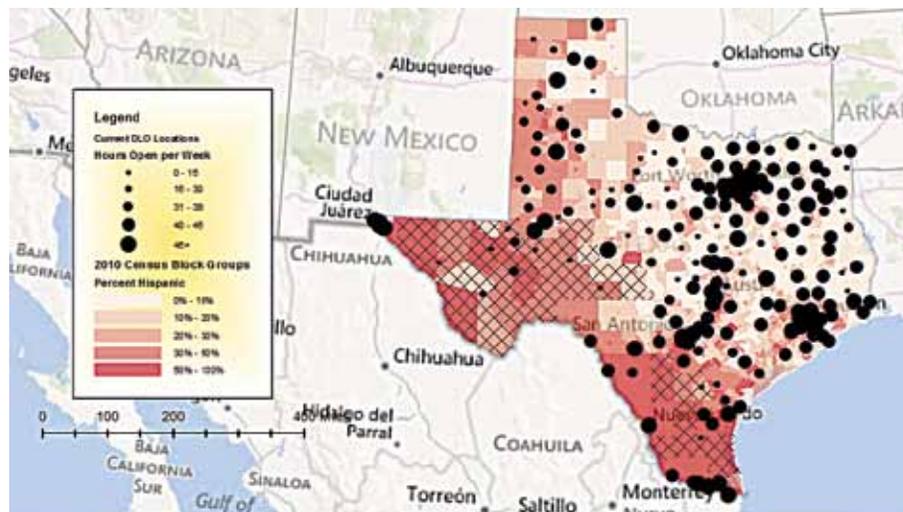


Figure 2: Percentage Hispanic Population and Driver's License Office Locations, Texas. The map shows that in some areas in Texas with high concentrations of Hispanic voters, there are few or no ID-issuing offices. The map depicts concentrations of the Hispanic voting-age population, by 2010 Census Block Group, together with the number of hours per week each office location is open. The crosshatched areas represent the 32 counties in the U.S.-Mexico border region with few or no ID-issuing offices.

### 3. Rural Tennessee

Three rural regions in Tennessee — one in the west, one in the north, and a third in the southeast — have large populations but *no ID-issuing offices*. These regions are displayed in Figure 3.<sup>51</sup> All of the 27 counties in these three rural regions are more than five miles from the nearest ID-issuing office location. More than 330,000 voting-age citizens live in these 27 counties. The poverty rate is 19.4 percent, nearly 20 percent greater than in the rest of the state.<sup>52</sup> The 18,000 eligible voters in this area who do not have vehicle access will have particular trouble obtaining free ID.<sup>53</sup>

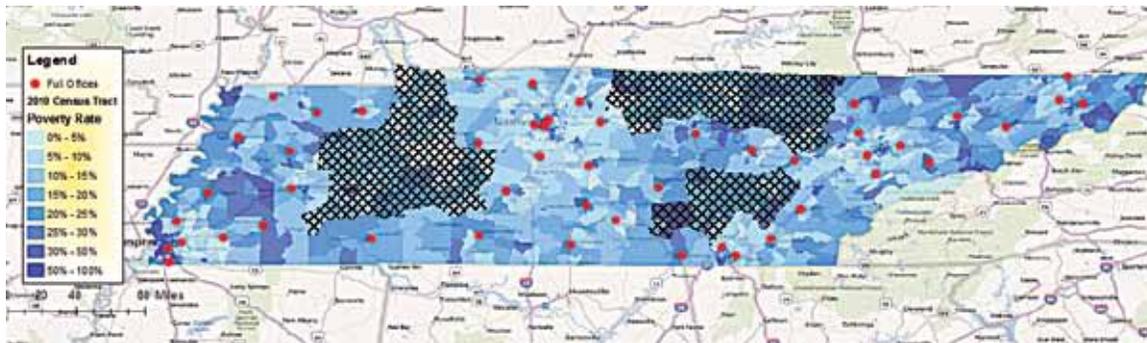


Figure 3: Poverty Rate and Driver Service Center Locations, Tennessee. The figure shows three rural regions of the state (crosshatched) — cumulatively home to more than 300,000 eligible voters — with no ID-issuing offices. The map shows the poverty rate, by 2010 Census Tract, and the locations of Tennessee Driver Service Centers.

## D. The Challenge in Cities: People of Color and the Poor Live Far From ID Offices

Urban populations usually live closer to their nearest ID-issuing office than rural populations. Metropolitan public transportation systems also make most ID offices located in cities more accessible than rural offices. Yet many urban people of color and the urban poor still face a substantial burden when ID-issuing offices are not located nearby. For those dependent on public transportation, it may take hours to get to the right government office. Some ID offices that serve large urban communities may also have long wait times. This could be a problem for people who may not have the flexibility in their work schedules to stand in line for hours.

### 1. Rock Hill, South Carolina

The city's largest concentration of eligible black voters — nearly 42,000 of them — live in the city center.<sup>54</sup> Yet the city's one ID-issuing office is located seven miles outside the city center. The city has no regularly scheduled public transportation; the only available public transportation to an ID office requires 48 hours notice for a scheduled pick up.<sup>55</sup> This will disproportionately affect the 10,800 eligible voters in the city center — pictured in Figure 4 — who do not have a vehicle available in their household and who live more than five miles from the Rock Hill ID office.<sup>56</sup>

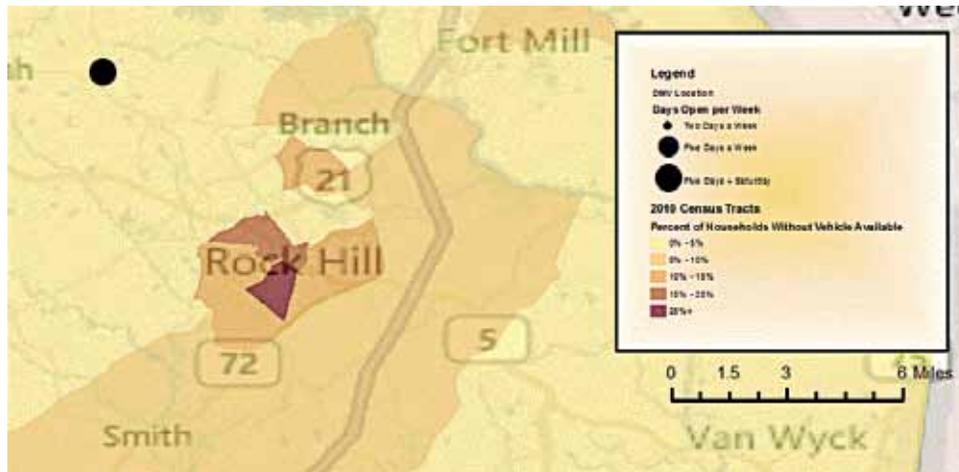


Figure 4: Percentage of Households without a Vehicle and Department of Motor Vehicles Locations, Rock Hill, South Carolina. The figure demonstrates that the only ID-issuing office in Rock Hill is located west of the city, seven miles away from the largest concentration of people without vehicles. The map shows the percentage of households without vehicle access, by 2010 Census Tract, and the location of ID-issuing offices. Darker areas in the map indicate higher concentrations of people without cars in their household.

## 2. Knoxville, Tennessee:

The nearest ID-issuing office is 11 miles east of the city center, which is home to the city's largest concentration of black voters.<sup>57</sup> There are 61,600 eligible voters in downtown Knoxville who live more than five miles from that ID-issuing office; 26 percent of them are black, and 27.5 percent live in poverty.<sup>58</sup> The office is not served by the city's public bus system.<sup>59</sup> This could pose a particular challenge for the 7,000 eligible voters living downtown who do not have a car.<sup>60</sup>

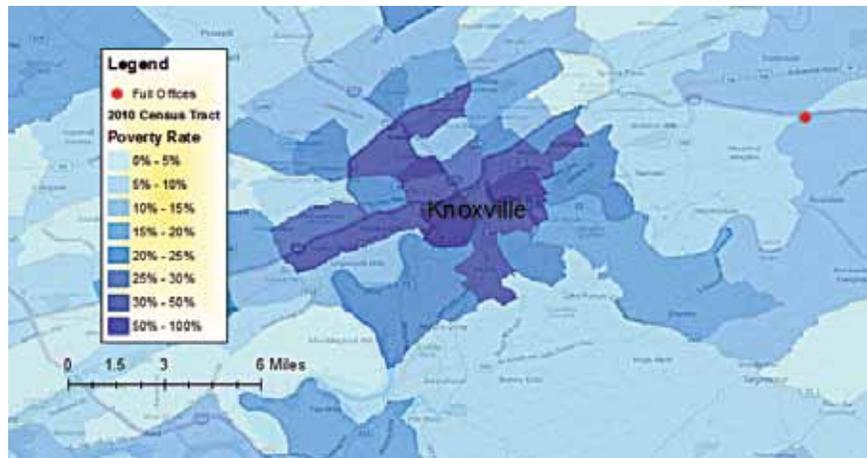


Figure 5: Poverty Rate and Driver's Service Center Locations, Knoxville, Tennessee. The figure shows that the one ID-issuing office near Knoxville is located outside of the city center, which is home to the city's largest concentration of poor residents. The map shows the poverty rate by 2010 Census Tract, and the location of the one ID-issuing office by Knoxville.

### 3. Dallas, Texas

Dallas has an ID-issuing office in the city center. However, many of the city's black and poor voters live outside the city center in the southeastern quadrant of Dallas County, which has no ID-issuing offices. By contrast, there are eight full-time offices in the rest of the county. In the southeast quadrant, there are 244,100 eligible voters: nearly 30 percent live in poverty and 52 percent are black. Compare this with the 1.1 million eligible voters in the rest of the county, where just 17 percent live in poverty and 22 percent are black.<sup>61</sup>

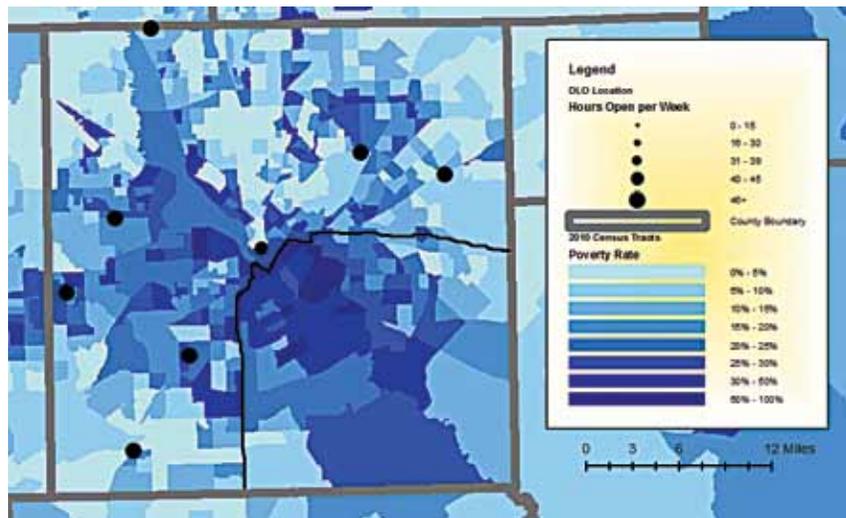
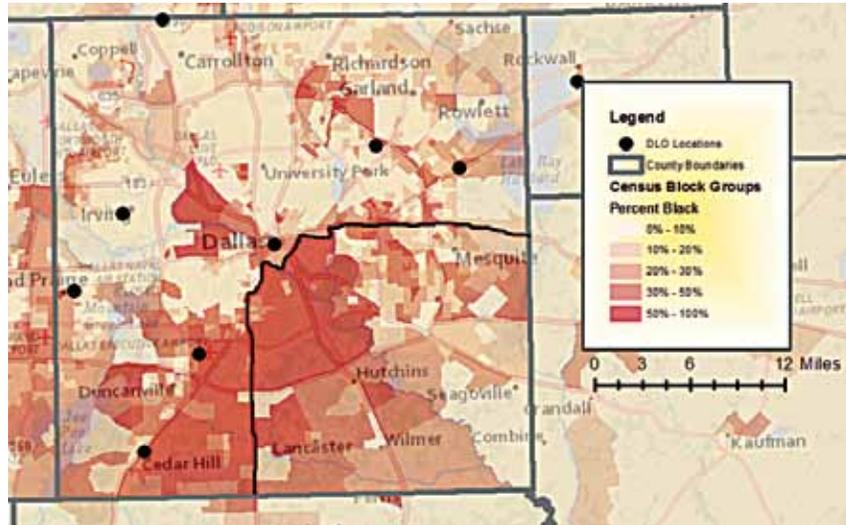


Figure 6 (top): Percentage Black and Driver's License Office Locations, Dallas County, Texas; Figure 7 (bottom): Poverty Rate and Driver's License Office Locations, Dallas County. These two maps show that the southeastern quadrant of Dallas County, which houses many of the city's poor and black residents, does not have an ID-issuing office. The rest of the county has eight offices. The line in each figure demarcates the southeastern quadrant of Dallas County.

Public transportation does go from the southeast quadrant to the ID-issuing office in the city center.<sup>62</sup> But the residents in the southeast, among the least likely to have photo ID, may have to travel further than others in Dallas County. For some residents, a trip to the ID-issuing office could take as long as two hours, or four hours roundtrip.<sup>63</sup>

#### 4. Wichita, Kansas:

Outside of Wichita, there are 90 ID-issuing offices in Kansas — about one for every 22,000 voting-age citizens. But in downtown Wichita, pictured in Figure 8, there is only one office to serve 160,700 eligible voters.<sup>64</sup> In other words, the one office in Wichita serves nearly eight times the “customer base” of the average office statewide. Compared to the rest of the state, Wichita also has a disproportionately high concentration of people of color and people in poverty. Wichita is home to 22 percent of the state’s black eligible voting population, 15.6 percent of the state’s Hispanic citizen population, and 12.8 percent of the state’s population in poverty.<sup>65</sup>

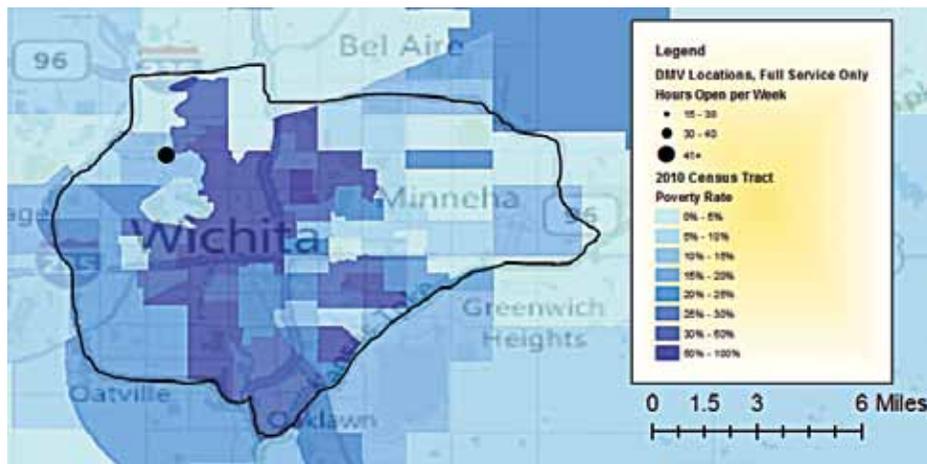


Figure 8: Poverty Rate and Department of Revenue ID-issuing Offices, Wichita, Kansas. The map shows the poverty rate, by 2010 Census Tract, and the location of ID-issuing offices near Wichita.

Eligible voters in Wichita must endure long lines and long waits to obtain the free identification required for voting. Recently, some customers have not been able to obtain IDs at the office, while others have had to wait for two hours or longer.<sup>66</sup> According to one account, when a group of voters seeking free voter IDs came to the office in January, DMV employees “were at a loss to explain who was eligible or how to apply.”<sup>67</sup>

### III. THE COST OF “FREE” PHOTO ID

Proponents of voter ID laws often say the requirement is not onerous because state-issued photo ID is available at no charge. But in all restrictive ID states except South Carolina, even if an eligible voter does not have to pay for the ID itself, he or she must provide supporting documentation — such as a birth certificate or a naturalization certificate — to obtain a state-issued photo ID suitable for voting.<sup>68</sup> These records can be very costly.

An official copy of a birth certificate can cost anywhere from \$15 to \$30, depending on the state.<sup>69</sup> The fees for a new passport or to renew a passport are \$135 and \$110, respectively.<sup>70</sup> The price of a replacement naturalization certificate or certificate of citizenship is \$345.<sup>71</sup>

Married women who have changed their surname face an additional burden: They may need to present a marriage license with their current name to obtain a photo ID. Only 48 percent of voting-age American women who have ready access to their birth certificate have their current name on it.<sup>72</sup> Fees for official copies of marriage licenses range from \$5 to \$40. Thus, a married woman who does not have a certified copy of her birth certificate and marriage license could easily spend \$30 to \$70 acquiring the documents necessary to obtain a photo ID.

But even these costs pale in comparison to the potential costs for people who were never issued birth certificates or whose birth certificates contain significant errors with respect to their race, name, or other key identifiers. These individuals often must obtain other official records, such as their school attendance records, spouse’s documentation, or childhood documentation.<sup>73</sup> Each document carries with it separate costs and administrative processes.

Table 5 (on page 17) details the cost of official copies of birth certificates and marriage licenses in the 10 states with restrictive ID laws. Citizens born or married in another state may incur additional charges (not listed in Table 5).

	Cost of Birth Certificate	Cost of Marriage License
<b>Georgia</b>	\$25	\$10
<b>Texas</b>	\$22	Must be requested at county level (costs vary)
<b>Wisconsin</b>	\$20	\$20
<b>Mississippi</b>	\$15	Must be requested at the county level (costs vary)
<b>Alabama</b>	\$15	\$15
<b>Kansas</b>	\$15 (free for KS residents seeking voter ID) <sup>74</sup>	\$15
<b>South Carolina</b>	\$12	\$12
<b>Pennsylvania</b>	\$10 (free for PA residents seeking voter ID) <sup>75</sup>	Must be requested at the county level (costs vary)
<b>Indiana</b>	\$10	\$8
<b>Tennessee</b>	\$8	\$15 if available from the state vital records office. If not, then must be requested at county level (costs vary)

Table 5: Birth Certificates and Marriage License Costs in Restrictive Voter ID States.

For individuals who wish to order copies of their documentation online, all restrictive voter ID states except Texas use VitalChek, a private express document delivery service.<sup>76</sup> VitalChek imposes an additional charge of \$5 to \$16 per records request, based on the state or county holding the records.<sup>77</sup> This is in addition to the cost of the document or any charge by the state for expedited processing. For example, if a state charges \$10 for a birth certificate, an additional \$10 for expedited processing, and the VitalChek fee is \$10, then an online request will cost \$30. Moreover, this transaction must be completed with a credit card.<sup>78</sup>

### The Mississippi Catch-22

Although Mississippi’s restrictive law is not yet in force, citizens there without ID face a particularly perverse set of rules. To secure government-issued photo ID, many voters will need a birth certificate. Yet the state requires a government-issued photo ID to obtain a certified copy of a birth certificate.<sup>79</sup> These rules make it extremely difficult to get a birth certificate, the first step toward obtaining voter ID. They represent another hurdle to voting placed in the path of those who have the least means to surmount them.

## Appendix A: Data and Methodology

This appendix documents the data sources and methodology used to calculate all quantitative estimates in this report. We begin by detailing how we obtained information on ID-issuing office locations and hours in the 10 states profiled in the report. The appendix then documents how we calculated distance between eligible voters and their nearest ID-issuing office.

### 1. ID-Issuing Office Locations and Hours

All state offices that issue new driver's licenses are counted as ID-issuing offices. Because this report focuses on individuals who do not have photo identification and who must obtain a new ID in order to vote, we exclude all offices that provide only driver's license replacement services and not new driver's licenses.

An "ID-issuing office" is any state office that issues new photo ID and that is open more than two days a week. We made the choice to define only these state offices as ID-issuing offices because they are the only offices that offer eligible voters some modicum of flexibility in when they can travel to obtain photo ID. Two days per week was a natural cut-off point since it does not include offices that are open for fewer than half the days in the work-week. Offices open twice per week or less are called "part-time ID-issuing offices." Unless otherwise noted, the calculations in this report do not include part-time ID-issuing offices.

The locations and hours of ID-issuing offices were obtained from the following sources, using the procedures listed below. For offices that do not have consistent hours from week to week, we calculated the number of hours each office is open per week by adding the total number of hours open during the year (ignoring holidays) and dividing that by the number of weeks in the year.

Below is a list of procedures and sources for ID-issuing office locations and hours in the 10 states considered in this report:

- Alabama: ID-issuing office information current as of January 9, 2012. Locations and hours obtained from listing of Driver's License Offices on website of Alabama Department of Public Safety.<sup>80</sup>
- Georgia: ID-issuing office information current as of January 23, 2012. Locations and hours obtained from listing of Driver's License Customer Service Centers on website of Georgia Department of Driver Services.<sup>81</sup>
- Indiana: ID-issuing office information current as of January 23, 2012. Locations and hours obtained from listing of Branch Locations on website of Indiana Bureau of Motor Vehicles.<sup>82</sup> ID-issuing office listings obtained county by county.

- Kansas: ID-issuing office information current as of October 19, 2011. Locations and hours obtained from listing of Driver’s License and ID Card Services by County on website of Kansas Department of Revenue.<sup>83</sup> ID-issuing office hours compiled with support from the ACLU Voting Rights Project.
- Mississippi: ID-issuing office information current as of December 8, 2011. Locations and hours obtained from listing of District Locations on Mississippi Department of Public Safety website.<sup>84</sup>
- Pennsylvania: ID-issuing office information current as of March 12, 2012. Locations and hours obtained from the Locations Info Center on the Pennsylvania Department of Transportation website.<sup>85</sup> In step 1c, answered “Yes” to the question “Search the Entire State?” In Step 2, we first checked “New Driver’s License/Transfer” to gather all offices that issue new driver’s licenses, and then separately checked “Photo ID Card” to gather all offices that issue new photo IDs.
- South Carolina: ID-issuing office information current as of October 19, 2011. Locations and hours obtained from listing of Office Locations, Hours and Wait Times on website of South Carolina Department of Motor Vehicles.<sup>86</sup> ID-issuing office hours compiled with support from the ACLU Voting Rights Project.
- Tennessee: ID-issuing office information current as of October 31, 2011. Locations and hours obtained from listing of Driver Service Center Locations by Service on Tennessee Department of Safety and Homeland Security website.<sup>87</sup> Only full-service offices and Identification License offices are included since only these offices issue free voter IDs.
- Texas: ID-issuing office information current as of March 26, 2012. Locations and hours obtained from Texas Driver’s License Office Map listing on Texas Department of Public Safety website.<sup>88</sup>
- Wisconsin: ID-issuing office information current as of October 19, 2011. Locations and hours obtained from DMV Service Centers by County listing on Wisconsin Department of Transportation website.<sup>89</sup> ID-issuing office hours compiled with support from the ACLU Voting Rights Project.

All ID-issuing office information was analyzed using the ArcGIS software suite.

## 2. Distance to ID-Issuing Offices

All distances discussed are straight-line distances. That is, they do not represent travel distances. The straight-line distances represent the shortest possible geometric route between two points. This means that our counts of people living more than 10 miles from an ID office *significantly underestimate* the number of people who must *travel* more than 10 miles to obtain free ID. Although we use “living more than 10 miles” and “must travel more than 10 miles” interchangeably throughout the report, it is worth bearing in mind that the counts provided in this report are significant underestimates of the number of people in the latter category.

To determine the number of voting-age people living more than 10 miles from their nearest ID-issuing office, we added the number of voting-age people living in 2010 Census Block Groups that were *in their entirety* more than 10 miles from the nearest ID-issuing office. In other words, if any part of a block group fell within a 10-mile radius of an ID-issuing office, then all voting-age people in that block group would not be included in our estimate of the number of people living 10 or more miles from their nearest ID-issuing office. Therefore, our counts substantially *underestimate* the number of voting-age people who live 10 or more miles from their nearest ID-issuing office. We use 2010 Census Block Group data on the voting-age population in the state, obtained from Table P4 of the 2010 National Redistricting Data release, titled “Hispanic or Latino, and Not Hispanic or Latino by Race for the Population 18 Years and Over.”<sup>90</sup>

To determine the number of voting-age citizens living more than 10 miles from their nearest ID-issuing office, we then use 2010 Census Tract data on citizenship status by age from the 2006-2010 American Community Survey (ACS) five-year estimate. That data is obtained from the following series of ACS data tables, all titled “Sex by Age by Citizenship Status”<sup>91</sup>:

	ACS Table ID
<b>Total</b>	B05003
<b>White Alone, Not Hispanic</b>	B05003H
<b>Hispanic Alone</b>	B05003I
<b>Black Alone</b>	B05003B
<b>American Indian Alone</b>	B05003C
<b>Asian Alone</b>	B05003D

Table A.1: 2006-2010 American Community Survey Tables Used to Obtain Data on Citizenship Status, by Age and Race.

From the ACS data, it is possible to calculate the number of people of voting age and citizens of voting age, by race, in each 2010 Census Tract. We then identify those Census Tracts that are in their entirety more than 10 miles from the nearest ID-issuing office. These tracts are roughly coterminous with the block groups that are in their entirety more than 10 miles from the nearest office. However, because tracts are larger than block groups, and because all block groups are nested within tracts, the tracts that are in their entirety more than 10 miles from an office cover less area (and fewer people) than the block groups that are in their entirety more than 10 miles from an office. Therefore, we use as a baseline the number of voting-age people, from Table P4 of the 2010 Census National Redistricting Data release, in the Census block groups that are at least that far from an ID-issuing office. This baseline number is more reflective of the number of people of voting age who live more than 10 miles from their nearest ID-issuing office.

Because the Census tracts and block groups that are more than 10 miles from an office are nearly coterminous, the ACS data from the Census tracts more than 10 miles from an office provides a very close approximation of the percentage of voting-age people who are citizens in the Census block groups

more than 10 miles from an office. To estimate the total number of voting-age citizens living 10 or more miles from their nearest ID-issuing office, we multiply the baseline voting-age population by the percentage of voting-age people who are citizens across all 2010 Census Tracts that are in their entirety more than 10 miles from an ID-issuing office. An identical procedure was used to estimate the number of voting-age citizens, by race, who live more than 10 miles from their nearest ID-issuing office.

Our citizen voting-age population counts significantly *underestimate* the number of eligible voters who live more than 10 miles from their nearest ID-issuing office. After all, if any part of a block group fell within a 10-mile radius of an ID-issuing office, then all voting-age citizens in that block group would not be included in our estimate of the number of eligible voters living 10 or more miles from their nearest ID-issuing office.

### 3. Poverty Statistics

All poverty statistics are obtained at the 2010 Census Tract level from the 2006-2010 five-year American Community Survey (ACS) estimate. All reported poverty estimates in the report are made with respect to the federal poverty threshold and includes all people who had incomes below the threshold during the previous year. The data is obtained from the following series of ACS data tables, all titled “Poverty Status in the Past 12 Months By Sex By Age”<sup>92</sup>:

	ACS Table ID
<b>Total</b>	B17001
<b>White Alone, Not Hispanic</b>	B17001H
<b>Hispanic Alone</b>	B17001I
<b>Black Alone</b>	B17001B
<b>American Indian Alone</b>	B17001C
<b>Asian Alone</b>	B17001D

Table A.2: 2006-2010 American Community Survey Tables Used to Obtain Poverty Status, by Age and Race.

To estimate the number of voting-age citizens in poverty living more than 10 miles from their nearest ID-issuing office, we select all Census Tracts that are in their entirety more than 10 miles from the nearest office. We sum across the ACS data tables to obtain estimates of the number of voting-age people in poverty, by race, living in these tracts. We then multiply the number of voting-age people in poverty in each tract by the percentage of the voting-age population who are citizens in that tract. To obtain the final estimate of the number of voting-age citizens in poverty living more than 10 miles from their nearest ID-issuing office, we then sum that product across all tracts that are in their entirety more than 10 miles from the nearest office.

This procedure for determining the voting-age citizen population in poverty is extremely conservative since the methodology underestimates the number of eligible voters in poverty who live more than 10

miles from their nearest ID-issuing office. Just as with the census block group analysis, if any part of a tract fell within a 10-mile radius of an ID-issuing office, then all voting-age citizens in that tract were excluded from our estimates of the number of eligible voters in poverty living 10 or more miles from their nearest ID-issuing office.

Our methodology for estimating the number of voting-age citizens in poverty is imperfect since it is possible that the voting-age people in poverty are more or less likely to be citizens than the general population. However, the inaccuracies resulting from this methodology are likely to be small. By estimating the number of voting-age citizens in each tract, we account for the possibility that people living in high-poverty areas may have a different citizenship profile than the rest of the population. This tract-by-tract mode of processing the data is likely to eliminate much, if not all, of any systematic bias resulting from possible differences in the citizenship profile of those in poverty.

#### **4. Vehicle Access Statistics**

In Table B25044, titled “Tenure by Vehicles Available,” the 2006-2010 American Community Survey (ACS) five-year estimate offers counts of the number of owner-occupied and renter-occupied housing units with 0, 1, 2, 3 or 4 or more vehicles available, by 2010 Census Tracts.<sup>93</sup> From this data, we extract the total number of owner-occupied and renter-occupied households in each tract that do not have a vehicle available. Next, we load the ACS average household size data for owner-occupied and renter-occupied housing units in Table B25010, titled “Average Household Size of Occupied Housing Units by Tenure,” available by 2010 Census Tracts.<sup>94</sup> We then multiply the number of owner-occupied housing units with no vehicle available by the average household size in owner-occupied housing units, do the same for renter-occupied housing units, and add the two products together.

This methodology yielded a tract-level estimate of the total number of residents who do not have a vehicle available in their housing unit. To obtain an estimate of the number of voting-age citizens who do not have a vehicle available in a Census tract, we multiply the total number of residents who do not have a vehicle available in their housing unit by the percentage of all residents in that tract who are citizens, derived from Table B05003 in the 2006-2010 ACS five-year estimate.

To calculate the total number of voting-age citizens who do not have a vehicle available and who live more than 10 miles from their nearest ID-issuing office, we select those Census tracts that are in their entirety more than 10 miles from an ID office, and we sum the number of voting-age citizens without a vehicle available in those tracts. This method *significantly underestimates* the total number of eligible voters who do not have vehicle access and who live that far from an ID office: It excludes those eligible voters who live more than 10 miles from an ID-issuing office but who live in a Census tract that falls partly within a 10 mile radius of the ID office.

As with our methodology for estimating the number of voting-age citizens in poverty, our methodology for estimating the number of voting-age citizens without a vehicle available is imperfect. It is possible that households without a vehicle available may be smaller or larger, on average, than households with

vehicle access. It is also possible that those without a vehicle available in their households are more or less likely, on average, to be eligible voters than those who do have vehicles in their household. But the methodological inaccuracies are likely to be small. By estimating the number of voting-age citizens directly in each tract, the possibility that those living in areas with low vehicle access rates may have different household profiles and different citizenship profile than the rest of the population is accounted for. This tract-by-tract mode of processing the data is likely to eliminate much of any systematic bias resulting from possible differences in the household size or citizenship profile of those in who do not have a vehicle available in their households.

## ENDNOTES

- <sup>1</sup> Of those states, Wisconsin, Kansas, and Alabama extend the strict ID requirements to absentee voting. See WENDY R. WEISER & LAWRENCE NORDEN, VOTING LAW CHANGES IN 2012 6 (2011), available at [http://brennan.3cdn.net/d16bab3d00e5a82413\\_66m6y5xpw.pdf](http://brennan.3cdn.net/d16bab3d00e5a82413_66m6y5xpw.pdf).
- <sup>2</sup> See *Crawford v. Marion County Elections Bd.*, 128 S.Ct. 1610, 1621 (2008) (holding that the ban on poll taxes in *Harper v. Virginia Bd. of Elections*, 383 U. S. 663 (1966) would invalidate Indiana's photo ID law but for the fact that the Indiana required its Bureau of Motor Vehicles to provide free ID cards to voters).
- <sup>3</sup> BRENNAN CENTER FOR JUSTICE, CITIZENS WITHOUT PROOF (2006), [http://www.brennancenter.org/page/-/d/download\\_file\\_39242.pdf](http://www.brennancenter.org/page/-/d/download_file_39242.pdf).
- <sup>4</sup> *Id.*; see also LORRIE FRASURE ET AL., 2008 COLLABORATIVE MULTI-RACIAL POST-ELECTION SURVEY: COMPARATIVE MULTI-RACIAL SURVEY TOPLINES 24 (2008), available at <http://cmpstudy.com/assets/CMPS-toplines.pdf>; MATT A. BARRETO ET AL., THE DISPROPORTIONATE IMPACT OF VOTER-ID REQUIREMENTS ON THE ELECTORATE — NEW EVIDENCE FROM INDIANA, 42 PS: POL. SCI. & POL. 111 (2009), available at [http://faculty.washington.edu/mbarreto/papers/PS\\_VoterID.pdf](http://faculty.washington.edu/mbarreto/papers/PS_VoterID.pdf); M.V. HOOD III & CHARLES S. BULLOCK III, WORTH A THOUSAND WORDS?: AN ANALYSIS OF GEORGIA'S VOTER IDENTIFICATION STATUTE, 36 AM. POL. RES. 555 (2008), available at <http://apr.sagepub.com/content/36/4/555.abstract>; MATT A. BARRETO ET AL., VOTER ID REQUIREMENTS AND THE DISENFRANCHISEMENT OF LATINO, BLACK AND ASIAN VOTERS (2007), available at [http://www.brennancenter.org/dynamic/subpages/download\\_file\\_50884.pdf](http://www.brennancenter.org/dynamic/subpages/download_file_50884.pdf).
- <sup>5</sup> The poll tax the Supreme Court outlawed as unconstitutional in 1966 was \$1.50. See *Harper v. Virginia Board of Elections*, *supra* note 2. For conversion to current-day dollars, see *CPI Inflation Calculator*, U.S. BUREAU OF LABOR STATISTICS, [http://www.bls.gov/data/inflation\\_calculator.htm](http://www.bls.gov/data/inflation_calculator.htm) (last visited June 20, 2012).
- <sup>6</sup> In each of the strict voter ID states except Alabama, voter ID laws were enacted with the intention of taking effect before the 2012 presidential election. Pursuant to the Voting Rights Act of 1965, voter ID laws in Mississippi, South Carolina, Alabama, and Texas must be precleared by the Department of Justice or a federal court prior to going into effect. See *Section 5 Covered Jurisdictions*, U.S. DEP'T OF JUSTICE, [http://www.justice.gov/crt/about/vot/sec\\_5/covered.php](http://www.justice.gov/crt/about/vot/sec_5/covered.php) (last visited May 22, 2012). In addition, in two separate Dane County District Court opinions, the Wisconsin photo ID law was placed under both a temporary injunction, *Milwaukee Branch of the NAACP v. Walker*, 11 Wis. 9d 5492 (2012), and a permanent injunction, *League of Women Voters of Wisconsin v. Walker*, 11 Wis. 9d 4669 (2012), for violations of Wisconsin's state constitution. The permanent injunction is on appeal to the Wisconsin Court of Appeals, and the Dane County District Court has not yet issued a decision in the other trial. In either case, a contrary decision by the courts could allow Wisconsin to enforce its restrictive voter ID law this November.
- <sup>7</sup> See U.S. ELECTION ASSISTANCE COMMISSION, THE ELECTORAL COLLEGE 11 (2011), [http://www.eac.gov/assets/1/Documents/The%20Electoral%20College%20\(Jan.%202011\).pdf](http://www.eac.gov/assets/1/Documents/The%20Electoral%20College%20(Jan.%202011).pdf) (calculated by adding together the number of electoral votes for each strict voter ID state). Alabama's voter ID law is not due to go into effect until 2013, so we do not include Alabama's electoral votes.
- <sup>8</sup> Of these states, Georgia and Indiana passed their strict voter ID laws in 2006, as did another state, Missouri. The Missouri Supreme Court found the strict voter ID law unconstitutional on state law grounds in *Weinschenk v. State*, 203 S.W.3d 201 (Mo. 2006). Therefore, Missouri is not included in this analysis.
- <sup>9</sup> Four general categories of degree of ID are required in order to vote in-person on Election Day: (1) states that do not require additional levels of proof of identity beyond federal HAVA requirements (2) states that accept both photo and non-photo as proof of identity (3) states that prefer, but do not require photo identification for proof of identity and (4) strict "no-photo, no-vote" voter ID states. The analysis in this report is limited to the impact of the laws in strict "no-photo, no-vote" states.
- <sup>10</sup> See BRENNAN CENTER FOR JUSTICE, *supra* note 3.
- <sup>11</sup> *Id.* African-American voters and voters over age 65 are significantly more likely to not have photo ID than the general population. Because it contained a small sample of Hispanic voters, the cited study was unable to conclude that Hispanic eligible voters were significantly less likely to possess photo ID than the general population. The findings in the cited study have been confirmed by the most reliable academic studies to date. See *supra* note 3.

<sup>12</sup> See Letter from Thomas E. Perez, Assistant Attorney General, U.S. Dep't. of Justice, to Keith Ingram, Director of Elections, Office of the Texas Secretary of State (Mar. 12, 2012), *available at* [http://brennan.3cdn.net/fe6a21493d7ec1aafc\\_vym6b91dt.pdf](http://brennan.3cdn.net/fe6a21493d7ec1aafc_vym6b91dt.pdf); Letter from Thomas E. Perez, Assistant Attorney General, U.S. Dep't. of Justice, to C. Havird Jones, South Carolina Assistant Deputy Attorney General (Dec. 23, 2011), *available at* [http://brennan.3cdn.net/594b9cf4396be7ebc8\\_0pm6i2fx6.pdf](http://brennan.3cdn.net/594b9cf4396be7ebc8_0pm6i2fx6.pdf). In Texas, the Department of Justice concluded that Hispanic registered voters are between 46.5 percent and 120 percent more likely than white voters to lack a driver's license or non-driver's photo ID. In South Carolina, the Department of Justice concluded that minorities were almost 20 percent more likely than white voters to lack DMV-issued photo IDs.

<sup>13</sup> Brennan Center for Justice, *Summary of Voter ID Laws Passed in 2011* (April 2012), [http://www.brennancenter.org/content/resource/voter\\_id\\_laws\\_passed\\_in\\_2011/](http://www.brennancenter.org/content/resource/voter_id_laws_passed_in_2011/).

<sup>14</sup> In this report, we focus only on state offices that issue free photo identification for voters. Therefore, offices that only provide license renewal services and do not issue new photo IDs are not considered ID-issuing offices or part-time ID-issuing offices for the purposes of this report.

Some county offices issue photo IDs in Georgia and Mississippi. See Secretary of State Brian P. Kemp, *Georgia Voter Identification Requirements*, <http://www.sos.georgia.gov/gaphotoid/default.htm> (last visited Jun. 1, 2012); House Bill 921, Miss. Code Ann. §023-0015-0719 (2011). We do not include these county offices in our analysis. Full explanation for the exclusion of these offices is provided in Section II.C of this report, under the "Southern Black Belt" bullet.

In Tennessee, some county offices issue free photo ID to eligible voters who chose to obtain a Tennessee driver's license without a photo. See generally Anderson County Clerk, *Voter Photo ID*, [http://andersoncountyclerk.com/index.php?option=com\\_content&view=article&id=27&Itemid=32](http://andersoncountyclerk.com/index.php?option=com_content&view=article&id=27&Itemid=32) (last visited May 17, 2012); County Clerk, Knox County, *Photo Identification for Voting*, [http://www.knoxcounty.org/clerk/photo\\_id.php](http://www.knoxcounty.org/clerk/photo_id.php) (last visited May 17, 2012). We do not include these county offices because they only serve eligible voters who already have a driver's license.

<sup>15</sup> All data and methodology for calculating the estimates in Table 1 are available in Appendix A, Sections 1 and 2.

<sup>16</sup> BRENNAN CENTER FOR JUSTICE, *supra* note 3, at 3.

<sup>17</sup> See, e.g. U.S. FEDERAL RESERVE SYSTEM & THE BROOKINGS INSTITUTION, *THE ENDURING CHALLENGE OF CONCENTRATED POVERTY IN AMERICA: CASE STUDIES FROM COMMUNITIES ACROSS THE U.S.A.* (2008), *available at* [http://www.frbsf.org/cpreport/docs/cp\\_fullreport.pdf](http://www.frbsf.org/cpreport/docs/cp_fullreport.pdf).

<sup>18</sup> See Appendix A, Section 3.

<sup>19</sup> BRENNAN CENTER FOR JUSTICE, *supra* note 3, at 3.

<sup>20</sup> See Appendix A, Section 2.

<sup>21</sup> For methodology and data for Table 2, see Appendix A, Section 4.

<sup>22</sup> See AMERICAN ASS'N OF STATE HIGHWAY AND TRANSP. OFFICIALS, *SURVEY OF STATE FUNDING FOR PUBLIC TRANSPORTATION, FINAL REPORT 2011*, 1-17 to 1-18, *available at* <http://scopt.transportation.org/Documents/2011%20Survey%20of%20State%20Funding%20for%20Public%20Transportation%20-%20FY%202009%20data.pdf>. (reporting per capita investment for 50 states and DC).

<sup>23</sup> *Id.*

<sup>24</sup> See generally, Jeremy Gray, *Rural Alabamians Access to Public Transportation Hits Dead End*, THE BIRMINGHAM NEWS, Feb. 17, 2011, *available at* [http://blog.al.com/spotnews/2011/02/rural\\_alabamians\\_access\\_to\\_pub.html](http://blog.al.com/spotnews/2011/02/rural_alabamians_access_to_pub.html); THERESA FIRESTINE, *THE U.S. RURAL POPULATION AND SCHEDULED INTERCITY TRANSPORTATION IN 2010: A FIVE-YEAR DECLINE IN TRANSPORTATION ACCESS*, U.S. DEP'T OF TRANSP (2011), *available at* [http://www.bts.gov/publications/scheduled\\_intercity\\_transportation\\_and\\_the\\_us\\_rural\\_population/2010/pdf/entire.pdf](http://www.bts.gov/publications/scheduled_intercity_transportation_and_the_us_rural_population/2010/pdf/entire.pdf).

<sup>25</sup> FIRESTINE, *supra* note 24, at 2.

<sup>26</sup> *Id.*

- <sup>27</sup> See Appendix A, Section 1 for source of ID-issuing office hours data.
- <sup>28</sup> *Id.* Between November 2011 and March 2012, in advance of the state’s presidential primary, Tennessee opened ID offices in some counties on the first Saturday of the month for the exclusive purpose of issuing voter IDs. Tenn. Dep’t of Safety & Homeland Security, *Voter Photo ID*, <http://www.tn.gov/safety/photoids.shtml> (last visited May 17, 2012). The state has yet to publicize whether they intend to add similar Saturday hours in advance of the 2012 general election.
- <sup>29</sup> See Appendix A, *supra* note 27. We provide a more detailed explanation of this last point in Section II.C of this report, under the “Southern Black Belt” bullet.
- <sup>30</sup> *Id.*
- <sup>31</sup> The 11 counties in Alabama, crosshatched in Figure 1, are Choctaw, Clarke, Greene, Hale, Marengo, Monroe, Perry, Pickens, Sumter, Washington, and Wilcox Counties.
- <sup>32</sup> In the 11 identified counties in the Alabama black belt, there are 11 total part-time state ID-issuing offices, but none are open more than two days a week. Eight of these offices are open only once a week. The presence of so many ID-issuing offices with reduced hours in the Alabama black belt underscores the argument made earlier that the limited hours of ID-issuing offices in Southern black belt states make it harder for people without photo ID to obtain it.
- <sup>33</sup> See Appendix A, Section 1 for ID-issuing office locations citations; see Appendix A, Section 2 for demographic data citations and methodology; and see Appendix A, Section 3 for poverty data citations and methodology.
- <sup>34</sup> The counties in these states, crosshatched in Figure 1, are as follows:
- Georgia (21): Baker, Bartow, Chattahoochee, Clay, Decatur, Early, Grady, Lee, Macon, Marion, Miller, Quitman, Randolph, Schley, Seminole, Stewart, Sumter, Talbot, Taylor, Terrell, and Webster.
  - Mississippi (13): Attala, Carroll, Choctaw, Holmes, Humphreys, Issaquena, Leflore, Madison, Montgomery, Sharkey, Sunflower, Webster, and Yazoo.
- <sup>35</sup> In the 34 identified counties in the Georgia and Mississippi black belts, there are 10 total part-time state ID-issuing offices, but none of these offices are open more than two days a week. Eight of these 10 offices are open once a week or less. Again, the presence of so many ID-issuing offices with reduced hours in the black belt underscores the argument made earlier that the limited hours of ID-issuing offices in Southern black belt states make it harder for people without photo ID to obtain it.
- <sup>36</sup> See Secretary of State Brian P. Kemp, *Georgia Voter Identification Requirements*, *supra* note 14.
- <sup>37</sup> For example, in Georgia, there is one central website providing information about county registrar offices. This website does not include any information about the business hours of these offices. See Georgia Secretary of State Brian P. Kemp, *County Board of Registrars Office*, <http://sos.georgia.gov/cgi-bin/countyregistrarsindex.asp> (last visited Jun. 1, 2012). The central website also provides incorrect information for several county offices. For instance, the site lists the wrong physical address and web address for the office in Bartow County. It also lists the wrong phone number for the office in Seminole County.
- <sup>38</sup> The Brennan Center contacted each of the 21 county registrar offices in the black belt about their provision of voter IDs. All phone calls by the Brennan Center were placed between 9 AM and 3 PM on June 4, June 5, and June 8, 2012. Records of interviews with county officials are on file with the Brennan Center for Justice.
- <sup>39</sup> Several counties also said that voters must call in advance in order to obtain voter ID, either because election officials were not able to operate the ID-issuing technology without external assistance (as in Miller County) or because the office is infrequently staffed (as in Webster County).
- <sup>40</sup> For a list of the required documents to obtain a free photo ID, see Secretary of State Brian P. Kemp, *Georgia Voter Identification Requirements*, *supra* note 14.
- <sup>41</sup> For each of these eight offices, the Brennan Center placed at least three calls, over three days, with no response.
- <sup>42</sup> House Bill 921, *supra* note 14.
- <sup>43</sup> See Section 5 Covered Jurisdictions, *supra* note 6.

- <sup>44</sup> Appendix A, *supra* note 33.
- <sup>45</sup> See *supra* note 24; see also Ga. Dep't of Human Resources and Ga. Dep't of Transp., *Coordinated Public Transit- Human Services Transportation Plan*, <http://web1.ctaa.org/webmodules/webarticles/articlefiles/GeorgiaCoordinationPlan.pdf> (finding that in a group of 14 counties included in the crosshatched area of Figure 1 in southwest Georgia, there is an unmet need for approximately 50,000 additional public transport trips every year); Miss. Dep't of Transp., *Multiplan - Phase I 8-6* (2011), <http://www.gomdot.com/Divisions/IntermodalPlanning/resources/Programs/MultiPlan/pdf/Phase%20I/Chapter%208%20Transit%20Modal%20Assessment.pdf> (demonstrating that in 32 of the 82 counties in Mississippi, including several in the crosshatched area of Figure 1, there is no rural public transportation service).
- <sup>46</sup> See Appendix A, Section 4 for vehicle access data citations and methodology.
- <sup>47</sup> See U.S. FEDERAL RESERVE SYSTEM & THE BROOKINGS INSTITUTION, *THE ENDURING CHALLENGE OF CONCENTRATED POVERTY IN AMERICA: CASE STUDIES FROM COMMUNITIES ACROSS THE U.S.A.*, *supra* note 17.
- <sup>48</sup> The counties in each region are as follows:
- West Texas (22): Hudspeth, Culberson, Jeff Davis, Presidio, Reeves, Brewster, Pecos, Loving, Winkler, Ward, Crane, Upton, Crockett, Reagan, Glasscock, Sterling, Irion, Schleicher, Sutton, Menard, Kimble, and Terrell.
  - Southern Texas (10): Frio, La Salle, McMullen, Live Oak, Duval, Zapata, Jim Hogg, Brooks, Kenedy, and Willacy.
- <sup>49</sup> Appendix A, *supra* note 33.
- <sup>50</sup> Appendix A, *supra* note 46.
- <sup>51</sup> The counties in each region are as follows:
- Western Tennessee (11): Benton, Carroll, Chester, Decatur, Henderson, Hickman, Houston, Humphreys, Lewis, Perry, and Stewart.
  - Northern Tennessee (10): Clay, Fentress, Jackson, Macon, Morgan, Overton, Pickett, Scott, Smith, and Trousdale.
  - Southeastern Tennessee (6): Bledsoe, Grundy, Meigs, Rhea, Sequatchie, and Van Buren.
- <sup>52</sup> Appendix A, *supra* note 33.
- <sup>53</sup> Appendix A, *supra* note 46.
- <sup>54</sup> Appendix A, *supra* note 33.
- <sup>55</sup> Rock Hill-Fort Mill Area Transportation Study, *Public Transit*, [http://www.rfatsmpo.org/index.php?option=com\\_content&view=article&id=21&Itemid=6](http://www.rfatsmpo.org/index.php?option=com_content&view=article&id=21&Itemid=6) (last visited May 22, 2012). The City of Rock Hill does provide demand-response transportation service. This service is available only Monday through Friday. Those who wish to use the service must reserve it at least two days in advance.
- <sup>56</sup> Appendix A, *supra* note 46.
- <sup>57</sup> Drivers age 60 and over who chose to obtain a Tennessee driver's license without a photo can obtain a photo ID for voting purposes at one of four county clerks offices in Knox County. County Clerk, Knox County, *Photo Identification for Voting*, [http://www.knoxcounty.org/clerk/photo\\_id.php](http://www.knoxcounty.org/clerk/photo_id.php) (last visited May 17, 2012). All other voters must travel to the one office in the city that issues new photo IDs.
- <sup>58</sup> Appendix A, *supra* note 46.
- <sup>59</sup> Knoxville Area Transit, *Knoxville City Bus Map*, <http://www.katbus.com/maps/systemmap8-10.pdf> (last visited May 17, 2012).
- <sup>60</sup> Appendix A, *supra* note 46.
- <sup>61</sup> Appendix A, *supra* note 33.
- <sup>62</sup> Dallas Area Rapid Transit, *System Map*, <http://www.dart.org/maps/pdfmaps/DARTSystemMap12mar12.pdf> (last visited May 17, 2012).

- <sup>63</sup> GOOGLE MAPS, <http://maps.google.com> (last visited May 22, 2012) (accessed by searching for public transportation directions from Balch Springs, Texas to 1500 Marilla St # 1BS, Dallas, TX).
- <sup>64</sup> Appendix A, *supra* note 33.
- <sup>65</sup> Appendix A, *supra* note 33.
- <sup>66</sup> Chris Frank, *DMV Closes for System Upgrades*, KAKE, Apr. 27, 2012, <http://www.kake.com/home/headlines/149318965.html>; John Boyd & Dave Roberts, *DMV Back to Normal Today*, KWCH EYEWITNESS NEWS, Apr. 5, 2012, [http://articles.kwch.com/2012-04-05/dmv-offices\\_31289955](http://articles.kwch.com/2012-04-05/dmv-offices_31289955); Michael Shatz, *KanVote and Occupy Wichita Unable to Obtain Free Voter IDs Despite New Law*, LAWYER'S COMM. FOR CIVIL RIGHTS UNDER LAW, Jan. 12, 2012, <http://www.lawyerscommittee.org/newsroom/clips?id=0423>.
- <sup>67</sup> Michael Shatz, *KanVote and Occupy Wichita Unable to Obtain Free Voter IDs Despite New Law*, *supra* note 66.
- <sup>68</sup> Texas and South Carolina created a category of photo voter registration cards that the states provide free to voters who require them to vote. In Texas, a voter must still produce proof of identity. In South Carolina, at present, the photo voter registration cards do not require proof of identity beyond proof that the person is a registered voter, but the state has not established practices or procedures in the 46 county election offices to ensure those IDs can be easily distributed to South Carolina voters in need.
- <sup>69</sup> In May 2012, Pennsylvania introduced a new process that allows residents born in the state to apply for photo ID without having to purchase a physical copy of their birth certificate. When applying for ID at an ID-issuing office, individuals submit all necessary identifying information. The ID-issuing office then contacts the Pennsylvania Department of Health to locate the birth certificate. Once the Department of Health locates the birth certificate and verifies the individual's identity, applicants are notified by mail that their photo ID is available for pick-up. The process is expected to take about 10 business days. Penn. Dep't of State, *Secretary of Commonwealth Announces Simplified Method to Obtain Photo ID for Pennsylvania-Born Voters* (May 23, 2012), [http://www.portal.state.pa.us/portal/http://www.portal.state.pa.us;80/portal/server.pt/gateway/PTARGS\\_0\\_879406\\_1259092\\_0\\_0\\_18/rls-DOS-VoterIDupdate-052312.pdf](http://www.portal.state.pa.us/portal/http://www.portal.state.pa.us;80/portal/server.pt/gateway/PTARGS_0_879406_1259092_0_0_18/rls-DOS-VoterIDupdate-052312.pdf).
- <sup>70</sup> U.S. Dep't of State, *Passport Fees*, [http://travel.state.gov/passport/fees/fees\\_837.html](http://travel.state.gov/passport/fees/fees_837.html) (last visited May 11, 2012).
- <sup>71</sup> U.S. Citizenship and Immigration Servs., *Application for Replacement Citizenship/Naturalization Document*, <http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnnextchannel=db029c7755cb9010VgnVCM10000045f3d6a1RCRD&vgnnextoid=a910cac09aa5d010VgnVCM10000048f3d6a1RCRD> (last updated July 27, 2011).
- <sup>72</sup> BRENNAN CENTER FOR JUSTICE, *supra* note 3, at 2.
- <sup>73</sup> For example, a South Carolina delayed birth certificate (an official birth record for persons lacking a certified birth certificate) can be established if three different documents verifying the birth facts claimed are submitted. The documents that are submitted must be at least 10 years old and must show the place and the date the document was filed. Only original or certified copies will be accepted. One of the three documents must show the full name of the mother prior to any marriages and the full name of the father. Examples of acceptable documentation are: birth certificates of children born to the person whose record is being established, voters' registration records, marriage records of person whose birth record is being established, insurance policies, school records, medical records, or military records. S.C. Dep't of Health & Envtl. Control, *Vital Records – FAQ*, <http://www.scdhec.gov/administration/vr/faq.htm> (last visited May 17, 2012).
- <sup>74</sup> K.S.A. 25-2358 (2012).
- <sup>75</sup> Penn. Dep't of State, *Secretary of Commonwealth Announces Simplified Method to Obtain Photo ID for Pennsylvania-Born Voters*, *supra* note 69.
- <sup>76</sup> *What We Do - Vital Records: Birth Certificates, Death Certificates, Marriage Records and Divorce Records*, VitalChek, <http://www.vitalchek.com/content/whatwedo.aspx> (last visited May 17, 2012).
- <sup>77</sup> *How much does it cost to place an order and what fees are involved?*, VitalChek, [https://vitalchek-solutions.custhelp.com/app/answers/detail/a\\_id/3211/kw/price](https://vitalchek-solutions.custhelp.com/app/answers/detail/a_id/3211/kw/price) (last visited May 17, 2012).

- <sup>78</sup> *What Forms of Payment Do You Accept*, VitalChek, [https://vitalchek-solutions.custhelp.com/app/answers/detail/a\\_id/3148/kw/credit%20card](https://vitalchek-solutions.custhelp.com/app/answers/detail/a_id/3148/kw/credit%20card) (last visited May 22, 2012).
- <sup>79</sup> Miss. State Dep't of Health, *Application for Certified Copy of Birth Certificate*, [http://msdh.ms.gov/msdhsite/\\_static/31,1240,109,62.html](http://msdh.ms.gov/msdhsite/_static/31,1240,109,62.html) (last visited May 17, 2012).
- <sup>80</sup> Ala. Dep't of Public Safety, *Driver License Office Schedules*, <http://dps.alabama.gov/Home/wfContentTableDB.aspx?ID=30&PLH1=DLOFFICES> (last visited Jan. 9, 2012).
- <sup>81</sup> Ga. Dep't of Driver Services, *Driver Services Locations List*, <http://www.dds.ga.gov/locations/LocationList.aspx> (last visited Jan. 23, 2012).
- <sup>82</sup> Ind. Bureau of Motor Vehicles, *Branch Locations and Hours*, <http://www.in.gov/bmv/2337.htm> (last visited Jan. 23, 2012).
- <sup>83</sup> Kan. Dep't of Revenue, *Driver's License and ID Card Services by County*, <http://www.ksrevenue.org/pdf/dmvdstations.pdf> (last visited Oct. 19, 2011).
- <sup>84</sup> Miss. Dep't of Public Safety, *District Locations*, <http://www.dps.state.ms.us/driver-services/new-drivers-license/district-one-locations/> (last visited Dec. 8, 2011).
- <sup>85</sup> Penn. Dep't of Transportation, *Locate Service Center*, <https://www.dot33.state.pa.us/locator/locator.jsp#top?20120517140843856=20120517140843856> (last visited Mar. 12, 2012).
- <sup>86</sup> S.C. Dep't of Motor Vehicles, *Office Locations, Hours and Wait Times*, <http://www.scdmvonline.com/DMVNew/offloclist.aspx> (last visited Oct. 19, 2011).
- <sup>87</sup> Tenn. Dep't of Safety and Homeland Security, *Driver Service Center Locations by Service*, <http://www.tn.gov/safety/driverlicense/dllocationserv.shtml> (last visited Oct. 31, 2011).
- <sup>88</sup> Tex. Dep't of Public Safety, *Driver License Office Locations*, [http://www.txdps.state.tx.us/administration/driver\\_licensing\\_control/rolodex/search.asp](http://www.txdps.state.tx.us/administration/driver_licensing_control/rolodex/search.asp) (last visited Mar. 26, 2012).
- <sup>89</sup> Wis. Dep't of Transportation, *DMV Service Centers by County*, <http://dot.wi.gov/about/locate/dmv/scmap.htm#textlist> (last visited Oct. 19, 2011).
- <sup>90</sup> U.S. Census Bureau, *Hispanic or Latino, and Not Hispanic or Latino by Race for the Population 18 Years and Over* (Mar. 8, 2011), <http://www.ci.temple-city.ca.us/Census/Hispanic%20latino%2018+.pdf>.
- <sup>91</sup> "Sex by Age by Citizenship Status" U.S. Census Bureau, *The 2006-2010 ACS 5-Year Summary File Technical Documentation* 45 (Dec. 8, 2011), [http://www2.census.gov/acs2010\\_5yr/summaryfile/ACS\\_2006-2010\\_SF\\_Tech\\_Doc.pdf](http://www2.census.gov/acs2010_5yr/summaryfile/ACS_2006-2010_SF_Tech_Doc.pdf) (tables available at <http://factfinder2.census.gov>).
- <sup>92</sup> *Id.* at 56.
- <sup>93</sup> *Id.* at 67.
- <sup>94</sup> *Id.* at 66.



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