



## **A Year after the Supreme Court Limited the Scope of the Voting Rights Act, a New Report Finds the Cost of a “Free” Voter ID to be “Significant”**

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Cambridge, MA—Obtaining a “free” voter identification card can typically cost an individual between \$75 and \$175. When legal fees are factored in, the cost can increase to over \$1,000. These are two of the conclusions drawn from an analysis of actual expenses incurred by individuals who needed to obtain identification cards in three states that had recently passed new voting requirements. *The High Cost of ‘Free’ Photo Voter Identification Cards*, a new report authored by Richard Sobel and released by the Charles Hamilton Houston Institute for Race and Justice at Harvard Law School, ([www.charleshamiltonhouston.org](http://www.charleshamiltonhouston.org)) notes that, even when the card itself is free, “voter IDs are expensive, often prohibitively so.”

Charles J. Ogletree, Jr., the Executive Director of the Houston Institute and Professor at Harvard Law School, said: “One year after the Supreme Court’s misguided *Shelby* decision removed a critical tool in combating discrimination at the polls, this report confirms our fears that new voter restrictions do indeed disenfranchise people of color, poor people, the young and the elderly. It is very important that the courts understand and recognize the burden being imposed by these unnecessary restrictions.”

The report’s findings are particularly salient in light of the ongoing legal challenges to recently passed restrictions on voting, taking place in states throughout the country. Currently, photo voter ID laws are at least partially in effect in 15 states, have been struck down permanently in one and temporarily in two others, and are scheduled for implementation in four more. The fundamental question at the heart of this constitutional

and political debate is whether photo voter ID requirements abridge the right to vote, and are therefore unconstitutional. In the 2008 case, *Cranford v. Marion County Election Board*, the Supreme Court ruled that voter identification laws were permissible, but left the door open for an “as applied” constitutional challenge, if the costs of a “free” voter ID could be shown to burden particular voters.

This report found that they do. Drawing on published articles obtained through the Internet, media, and legal testimony, it identifies the documentation, travel, loss of work and waiting time costs incurred by three different individuals in each of three states—Pennsylvania, South Carolina, and Texas—who needed to obtain “free” voter identification cards. The analysis found that these individuals had to pay between \$75 and \$400—and much more if legal fees were involved. Adjusted for inflation, these figures represent between seven and 136 times the \$1.50 poll tax outlawed by the 24<sup>th</sup> amendment in 1964. “For many people,” Sobel writes, “paying the cost needed to meet voter ID requirements means spending the equivalent of more than a week’s worth of groceries.” With the recent striking down of the state voter ID law by a federal court in Wisconsin, and the evidence of burden shown in this report in three other states, voter ID challenges may again be on their way to the Supreme Court.

In addition, the report estimates the substantial financial burdens placed on states by enacting these laws, including the millions of dollars spent defending them against challenges in federal and state courts. It also finds that the number of actual incidents of “voter fraud” is close to nil. “When we consider the untenable financial burden placed on some of our nation’s most vulnerable citizens to exercise their fundamental voting right,” Sobel states, “we can’t help but conclude that the supposed ID ‘cure’ is far more damaging to the integrity of our democratic process than the virtually non-existent alleged problem.”

**The Executive Summary and full report are available at:**  
<http://www.charleshamiltonhouston.org/2014/06/voter-id/>

For further information, please contact the Charles Hamilton Houston Institute for Race & Justice at **617-495-8285**.