

Race and the Right to Vote:
The Modern Barrier of Voter ID Laws

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The Civil War era 13th Amendment abolished slavery and established African Americans as citizens, while the 14th and 15th amendments sought to protect their voting rights from racial discrimination (Davidson, 1992). The electoral incorporation of Blacks thus increased immediately in the short term: by 1868, over 700,000 were registered to vote, and by 1901, 20 Blacks were elected to the House of Representatives, and two held seats in the Senate (Grofman, Handley and Niemi, 1992). However, southern states responded by effectively disenfranchising Blacks through practices like poll taxes, literacy tests, grandfather clauses, and all white primaries, and many states also restricted noncitizen voting in the Progressive Era (see Chapter X). As a result of the southern states' racial barriers to participation, only six percent of Mississippi's Black population and two percent of Alabama's were registered to vote by 1906 (Davidson, 1992). Jim Crow era laws would persist and not be fully dismantled until the passage of the 1965 Voting Rights Act (VRA).

Efforts to limit the political influence of minority voters persisted in the post-VRA era. When the VRA was debated before the Supreme Court in 2013, 3,775 "successful incidents" of changes to electoral rules that discriminated against Black, Latino, or Native American voters were documented since 2009, suggesting that current changes to electoral rules continue to be related to racial politics (Kousser, 2013). As a result, several legal scholars view recent voter identification laws as a renewed, "Jim Crow 2.0" effort to prevent minorities from fulfilling their potential on election night (Bentele and O'Brien, 2013; Davidson, 2009; Groth, 2009; Sobel and Smith, 2009). This chapter considers the effects, and alleged merit, of these voter ID rules.

As of 2016, thirty four states had laws that required some type of proof of identity at the polls; many passed in response to concerns over voter fraud during the 2000 presidential election (National Conference of State Legislatures, 2016). Analysis suggests that partisan strategy

motivates proponents of voter identification laws, despite claims that these laws are motivated by concerns over fraud (Hicks et al., 2015). Republicans champion voter ID bills and Democrats oppose them (Bowler and Donovan 2013). Regardless, voting rights activists are concerned about how these laws affect whether racial minorities can exercise their right to vote.

Since legal challenges to voter ID laws can hinge on demonstrating who has access to a valid piece of ID, we examine rates of access to ID among racial minorities compared to whites. We also look at differences between Democrats and Republicans to explore partisan motivations that underlie arguments for voter ID laws. We find that racial minorities are less likely to have access to a valid piece of identification than whites, and that any partisan advantage is less pronounced.

Research on voter identification laws focuses on measuring their impact on turnout, and on who has access to a valid piece of identification. Research on turnout suffers from conflicting findings (Hood and Bullock, 2008; Hood and Bullock, 2012; Erikson and Minnite, 2009; Hajnal, Lajevardi, and Nieson, *forthcoming*), and analyses of who has ID is limited to studies from two states. We address this by drawing on a nationally representative dataset with over 20,000 observations. We begin with an overview of the causes and consequences of voter ID laws, before detailing our data and then presenting our results. We conclude by identifying areas for future research, given that the exact impacts of restrictive voter ID laws are still unknown.

Causes and Consequences of Contemporary Voter ID Laws

Causes: Allegations of Voter Fraud as Partisan Strategy

Proponents of voter identification laws root their motivations in concerns around voter fraud, even though documented cases of voter fraud are very rare (Minnite and Callahan, 2003;

Minnite, 2007; Davidson, 2009). Scholars also note that voter identification laws promise only to prevent fraud committed in-person on Election Day, which is perhaps one of the least often attempted and prosecuted voting violations (Davidson, 2009). Voter ID laws build on standards set forth by the 2002 Help America Vote Act (HAVA). HAVA attempts to “establish minimum election administration standards for States and units of local government” (Pub.L.107-252 §208.b.2).

Although electoral integrity is the justification for requiring identification at the polls, partisan motivations lay at the heart of the conflict over these laws (Bentele and O’Brien, 2013; Mendez and Grose, 2014; Hicks et al., 2014). Demographically, Republicans increasingly depend on a shrinking population of white voters to remain competitive at the national level. Ronald Reagan easily won the presidency with 63 percent of the white male vote. However, Barack Obama defeated Mitt Romney with Romney winning nearly the same share of white male voters. With Democrats relying on a diverse coalition of voters that includes racial and ethnic minorities, the Republican strategy seeks to shape the electorate to favor turnout of their ideologically driven base with rules such as voter ID laws (Frymer, 1999; Bawn et al. 2012; Grossman and Hopkins, 2015).

Segments of the electorate most likely to be negatively impacted by voter ID laws – racial and ethnic minorities, the less affluent, and young people - are likely to vote as Democrats. This provides strategic motivation for Democrats to strongly oppose barriers to participation and Republicans to champion them. Operating in response to electoral incentives, the Republican Party “has become the central driver of restrictive changes to election laws and the primary perpetrator of a wide range of suppression efforts,” (Bentele and O’Brien, 2013, 1092).

A systematic investigation of the conditions under which state legislatures propose and adopt voter identification requirements supports this claim (Hicks et al., 2015). Drawing on a dataset of 1,000 bills and nearly 100 laws, Hicks et al. find that Republican legislatures in politically competitive states had the highest probability of introducing and adopting voter ID laws. In Pennsylvania, the GOP majority leader in the State House, Mike Turzai, told a large gathering of Republicans that a voter ID law would be directly beneficial to Republicans in the 2012 election cycle: “Voter ID, which is gonna allow Governor Romney to win the state of Pennsylvania – Done!” (Blake, 2012). Speaking to a 2012 post-election conference hosted by the Pew Center on the States, GOP campaign consultant Scott Tranter said, “A lot of us are campaign professionals and we want to do everything we can to help our sides. Sometimes we think that’s voter ID, sometimes we think that’s longer lines, whatever it may be” (Tucker, 2013).

Consequences: A Barrier to Voting?

These partisan motivations suggest voter ID laws are perceived to disparately impact marginalized groups. The specifics of many of the laws suggest this is by design. For example, many allow hunting and gun permits as legitimate forms of ID but do not allow social service IDs (i.e. AFDC cards) or public sector employee ID cards. Whites are statistically more likely to possess a hunting permit (Southwick, 2010) and Blacks and Latinos are more likely to possess an AFDC card or work in federal or county-level jobs (Bachu and O’Connell, 1995). Moreover, lawmakers have cited unsubstantiated voter fraud among ineligible Black felons or Latino undocumented immigrants as a justification for pursuing stringent proof of ID measures (ElectTomHorne, 2014; Rosenfeld, 2012).

A key question about voter ID requirements is whether they are so burdensome that the rules prevent people from registering and voting. A growing body of research attempts to capture the effects of voter ID laws on voter turnout, but findings are mixed (Erickson and Minnite, 2009; Hershey 2009). Several studies conclude that the impact of voter ID laws on turnout is negligible (Muhlhausen and Sikich, 2007; Wycoff, Wagner and Wilson, 2009; Erickson and Minnite, 2009). Others find that the strictest laws have a depressive effect, but do not find differences among racial and ethnic groups (Hood and Bullock, 2012). Two studies demonstrate that the strictest laws disparately impact turnout among Blacks and Latinos when compared to their white counterparts (Vercellotti and Anderson, 2006; Hajnal, Lajevardi and Nieson, *forthcoming*). However, existing research on voter IDs is beset by data limitations. Many of the studies were conducted prior to the implementation of some of the strictest photo ID laws.

Voter identification requirements range in their restrictiveness by state. The strictest laws require that individuals present an unexpired, state issued photo identification where the name on the ID must match that on voter rolls (National Conference of State Legislators, 2016). Other states, like Wisconsin, allow for the ID to be expired but voters must also provide proof of residence. Meeting these requirements often costs time and money, since states levee a fee to issue an ID and offices that issue IDs are often inaccessible to those who need it most (Gaskins and Iyer, 2012). Access to issuing agencies can also be difficult. A report by the American Civil Liberties Union (ACLU) pointed to Alabama as a particularly egregious example of how voter IDs can be used to disenfranchise minorities. Soon after Alabama passed voter ID laws, the state closed 31 out of 67 Department of Motor Vehicle locations, with most located in counties with large black populations or are home to the poor (Watson, 2015). According to a report compiled by the Brennan Center for Justice, 35 percent of the citizen voting age population in Mississippi

lived more than ten miles from a state ID issuing office, and 33 percent did not have access to a vehicle. In Wisconsin, where individuals must present a photo ID with matching name and proof of residence, 30 percent of the citizen voting age population lived more than 10 miles from a state office, and 18 percent did not have access to a car (Gaskins and Iyer, 2012).

The underlying documents required to acquire a valid piece of ID from the state also present problems for voters. For example, the state of Wisconsin provides voters with a free ID if they do not have a driver's license. However, to get an ID, voters must present proof of name and date of birth (usually a birth certificate or a passport), proof of identity, proof of residence in Wisconsin, and a social security number. In a survey conducted in Milwaukee County, seven percent of eligible voters lacked a social security card and 12 percent lacked proof of citizenship such as a birth certificate or passport. Nearly 15 percent did not have all of the underlying documents required to get a free ID. Minorities are disproportionately impacted: 20 percent of Latinos lacked the necessary documentation compared to only 14 percent of whites. Moreover, while an ID is free, a Wisconsin birth certificate costs \$20 (Gaskins and Iyer, 2012).

Requiring ID at the polls thus constitutes an institutional barrier to exercising the franchise, and minorities are disproportionately affected. In Georgia, Hood and Bullock (2008) find evidence that minorities and the elderly are statistically less likely to have a driver's license. In Indiana, Barreto, Nuño and Sanchez (2009) find evidence that Black and low income eligible voters lack ID at significantly higher rates. Yet other survey research claims that only one percent of the population lacks ID (Pastor et al., 2008).

This line of research exploring the potential impact of voter ID laws from the perspective that they constitute a resource-sensitive institutional barrier is deeply important, given the well-established link between barriers to participation and low turnout (Rosenstone and Wolfinger,

1978; Jackson, 1993). For example, Rosenstone and Wolfinger find that strict registration laws, like limited office hours, reduce overall turnout (1978). The passage of the VRA and the 1982 amendment increased the incorporation of African American and Hispanic voters (Rosenstone and Hansen, 1993; Grofman and Handley, 1991). The National Voter Registration Act (NVRA) passed in the early 1990s incorporated registration into the department of motor vehicles and public assistance agencies and increased registration among minorities more significantly than among whites (Wolfinger and Hoffman, 2001).

Other research suggests that formal access to the ballot box is not sufficient to ensure turnout (Barelsen, Lazerfeld and McPhee, 1954; Rosenstone and Hansen 1993). Party mobilization efforts are also relevant, as is group-based ideology and political socialization around the importance of voting that can overcome individual socio-economic barriers to voting (Dawson, 1994; Parker, 2009; Tate, 1993).

Consequences: Electoral Integrity?

Some scholarship argues that voter ID laws are valuable because, even if instances of voter fraud are few, the majority of the public supports them and believe they increase the integrity of elections (Ansolabehere, 2009; Atkeson et al., 2014; McCarthy, 2016). Others suggest that increased belief in electoral integrity may *increase* participation (Larocca and Klemanski, 2011; Milyo, 2007). Alternatively, negative messaging from political elites around minority voters as a threat to the integrity of elections has the potential to reduce trust, increase alienation, and depress turnout among Blacks, Latinos and immigrants (Barreto and Nuño, 2011; Michelson, 2003; Pedraza, 2009). Strict voter ID laws appear to be associated with less confidence in elections among Democrats, and with greater confidence among Republicans

(Bowler and Donovan, 2016). There is no research we know of testing the impact of voter ID laws and the heated media environment surrounding them on efficacy and trust among minority voters. Instead, some scholars argue as a barrier to voting, ID laws are not entirely harmful and their negative effects can be countered by higher political interest, voter mobilization efforts, and political learning over time (Vercelloti and Anderson, 2009; Mycoff, Wagner and Wilson 2009).

Voter Identification Laws and the Courts

Such arguments regard voter ID laws as immutable, apolitical facts with which individual actors in the political system must unavoidably contend. Yet, the democratic demand for equal protection under the law places the obligation on the state to ensure broad and inclusive access to the ballot box in the absence of a compelling state interest. Voting rights advocates therefore wage the battle over the validity of voter ID laws in the courtroom.

The court's response is mixed. A first time voter challenged Georgia's law in *Perdue et al. v. Lake et al.* and claimed that the law violated *Article II §1.2* of the Georgia constitution, guaranteeing every registered voter the right to vote. On initial review, the court held that the Georgia requirement amounted to a poll tax because it required potential voters to pay a \$40 fee at the DMV to obtain a valid state ID (Shanton, 2014). Likewise, pre-*Shelby County v Holder*, federal judges blocked voter ID laws in Texas and South Carolina under Section 5 of the VRA, citing potential adverse effects on minority voters. Section 5 required federal preclearance for new electoral rules in states that had a history of racially biased election rules.

Yet, in *Crawford v. Marion County* (2008) the Supreme Court held that Indiana's strict photo ID law was appropriate because the mere risk of voter fraud constituted a legitimate state interest, despite strong evidence that the Indiana law negatively affected Blacks. Together with

Shelby County v. Holder (2013), which functionally invalidated Section 5 preclearance, opponents must now challenge voter ID laws under Section 2 of the VRA or through state constitutions protecting equal voting rights. State courts have blocked or stayed laws in Wisconsin, Missouri, Pennsylvania, Arkansas, North Carolina, North Dakota and Texas. Proponents of voter ID laws have appealed these decisions and many cases were pending at this writing (Lindell, 2016; Lopez, 2016; Farias, 2016).

These cases often hinge on data demonstrating differential access to valid voter ID among racial and ethnic groups. Previous data have not been up to the task of testing the exact impact of voter ID laws on marginalized subgroups, Erikson and Minnite call for more and better data around “who does or does not have the kinds of identity documents mandated in recent voter identification legislation” where findings from this approach should be “enough to raise concerns about a disparate impact of voter ID laws” (2009, 98). It is to this task we now turn.

Data and Analysis

We leverage a unique, nationally representative dataset with large samples in key states that have passed voter ID laws to test differences in who has access to a valid piece of ID. Because debates over voter ID laws are fought largely in the courts, we are most concerned with the differential impacts of voter ID laws on racial sub-groups. Given the discussion above, we expect that Blacks and Latinos will be less likely to possess a valid piece of ID than their white counterparts. We suspect the size and significance of differences may vary based on state-specific factors. We also expect Democrats to be disproportionately impacted by voter ID laws compared to Republicans, since racial minorities and the poor more often identify as Democrat than Republican.

Survey Data Measuring Access to Photo ID

This research draws on eight unique surveys, collected between 2006 and 2012, which all contain questions on possession of photo identification and partisanship. Data are from county-level samples from four locations: Orange County, California, Bernalillo County, New Mexico, King County, Washington, and Milwaukee County, Wisconsin (fielded in 2012). In addition, two statewide samples are included from Indiana (fielded in 2008) and Pennsylvania (in 2013). Finally, an 18-state sample is included from the 2008-2009 Collaborative Multiracial Post-election Study, as well as a national sample collected via the American National Election Survey (ANES) 2012. These eight studies produced 20,619 completed survey interviews.

This large sample size provides for an in-depth analysis of racial subgroups that includes 4,486 Latinos, 3,675 Blacks, 1,225 Asian Americans, 10,201 White non-Hispanics, and 1,039 of “other race.” Unlike almost all other inquiries, these data represent a comprehensive national portrait of access to voter ID, with appropriate national sample weights (as per Osborne 2011). Lastly, the surveys represent data across time, including from the beginning of the voter ID debates (2006) to the more recent ANES (2012).

There are some caveats to combining these datasets. The key issues faced when combining multiple datasets include differences in survey sample design and population, differences in question wording, and differences in survey administration (Tourangeau, 2003). Survey methods were different across the eight datasets used. The target samples also varied from actual voters to registered voters, to all citizen eligible adults. We employ several strategies to deal with these limitations. We present results for each of the eight datasets independently before proceeding to a pooled analysis. We likewise examine our results among eligible voters, registered voters and prior voters. We also account for the timing, location, target sample and mode of administration

that is idiosyncratic to each survey. Data are weighted to be in line with Census estimates, and then an overall weight is constructed such that the final data match the national citizen, adult population (Osborne, 2011).

Across all states, respondents were asked if they possessed some form of state-issued photo identification. The surveys administered in California, Washington, and New Mexico reflects the simplest conception of valid identification, asking only if the respondent had a driver's license or state-issued ID. The ANES asked a similarly direct question. In Wisconsin and Pennsylvania voters may show other types of identification, such as a military or student identification card. Respondents were further asked to confirm that their piece of identification was unexpired. In Indiana and Pennsylvania, respondents were asked to confirm not only that their identification card was current, but also that the name on the card was their correct legal name. Respondents in the national poll were additionally asked to confirm that the address listed on the card matched their current address, reflecting the strictest voter identification laws either already in place or under consideration by state legislatures. Possession of a valid piece of ID varies across datasets, but for purposes of comparison we have coded the ID possession variable as consistently as possible in the pooled analysis.

Findings

Table 1 displays access to a valid piece of ID by race and party across surveys. In every dataset but New Mexico minorities were statistically less likely to have access to a valid piece of ID than are whites. The differences in rates of possession are not minor. In the combined data, only about 81 percent of Blacks possessed a valid ID compared to 91 percent of whites. Latino and Asian respondents were slightly more likely to possess a valid ID than were Blacks (84

percent), but still lag behind whites by seven percent. While in no instance did minority respondents report higher rates of possession of a valid piece of ID than whites, the degree of disparity varies by state context. Blacks were particularly disadvantaged in Indiana, lagging behind whites by 12 percentage points, while the rate of possession among Asians in California fell 17 percentage points behind whites. In both national datasets Blacks, Latinos and Asians were statistically less likely to possess a valid piece of ID.

Table 1 about here

Our discussion above suggests that these laws are motivated by partisanship. Thus we would expect that identification laws would advantage Republicans over Democrats. This expectation bears itself out at the national level and in the combined data. In the pooled data 91 percent of Republicans reported access to a valid piece of ID, compared to 87 percent of Democrats, a difference that is statistically significant. However, among the individual surveys only Republicans in Pennsylvania were statistically advantaged by their voter ID law.

We also examined differential rates of possession of a valid piece of identification by race and partisanship among registered voters and those who said they voted in the presidential election prior to the survey, using logistic regression analysis, displayed in Table 2. The negative impact of voter identification laws among Blacks, Latinos and Asians compared to whites holds across all three voting groups, as does the negative impact on Democrats. Restricting the dataset to only registered or prior voters does not improve the disparity between white and non-white voters. Among eligible voters, whites had a predicted likelihood of possessing a valid ID of about 91 percent, compared to an 80 percent likelihood of non-white eligible voters. Among registered voters, whites had predicted likelihood of possessing a valid ID of 92 percent,

compared to 78 among Blacks and 81 among Latinos and Asians. This gap persists among those who previously reported voting.

Thus, while we cannot rule out the potential positive impact of voter mobilization efforts and political interest, we can say that voter ID requirements present a burden to voting that is substantially larger for non-white registered and prior voters than for whites. Similarly, eligible Republican voters had a predicted probability of 91 percent of having a valid ID, compared to 86 percent of eligible Democrats. This gap does not close among registered or prior voters, since both Republicans and Democrats experience a one percentage point increase when the data are restricted in this way.

Table 2 about here

We present bivariate relationships here that account for issues related to pooling the data; this is the threshold established by the courts for demonstrating disparate impact. However, when we include controls for various socioeconomic and demographic factors influencing both the likelihood of possessing an ID and likelihood of voting, like age, education and income, the racial differences in access to an ID persist. Interestingly, Republicans lose their strategic advantage after controlling for these other factors. This raises questions around the strategic efficacy of these laws and their underlying motivations, particularly when lawmakers cite concerns over documentation status and felony background as motivation for the bills.

Discussion and Conclusion

According to historian and law professor Grant Hayden, “The history of voting in the United States has not been characterized by a smooth and inexorable progress toward universal political participation. It has instead been much messier, littered with periods of both expansion

and retraction of the franchise with respect to many groups of potential voters” (2002, 819). Since the passage of the reconstruction amendments between 1865 – 1870, which expanded the right to vote to African Americans, states across the nation responded with a series of institutional barriers to deny or dilute the vote of Blacks, Latinos, and Asians. These barriers to voting were so obviously race-based that the country passed a national voting rights act in 1965 to directly prohibit any devices or tests that would disproportionately discourage Black Americans from being able to cast an equal vote to whites. Eventually, these protections were specifically extended to Latinos and Asians as “language minorities.” Now, 50 years after the passage of the VRA our nation is witnessing a renewed debate around access to the ballot.

Today, voter identification is one of the most widespread means to regulate the vote. This analysis demonstrates the negative impact of voter ID laws on Blacks, Latinos and Asians. The negative impact transcends election cycles and state contexts. Importantly, we have evaluated the impact of these laws on eligible voters, registered voters, and those with previous vote history. We demonstrate that racial disparities persist even among registered and prior voters. We further find a partisan effect, however the partisan impact is much less pronounced than the impact on racial minorities. The racial impact stands on its own as a normative democratic indictment of voter identification laws in the absence of widespread fraud preventable by requiring an ID. The lack of partisan advantage from these laws dramatizes racial disparities, particularly when lawmakers cite worry over undocumented immigrants and felons voting, and dismiss those “too lazy to get up and get out there and get the ID they need,” when defending voter ID laws (Cohen, 2012).

Lack of access to an appropriate ID is not the only means by which minorities may be disproportionately impacted by voter ID laws. While research investigating the extent to which

individuals attempt to vote and are unable to find that very few voters have this experience, a handful of studies demonstrate that Blacks and Latinos are more likely to be asked to show an ID than are whites (Ansolabehere, 2009; Pitts, 2015; Barouth and Nelson, 2016; Chambers, 2016; Atkeson et al. 2010). For example, a study of the application of the law in New Mexico found that Latino men had a probability of being asked for their ID of 91 percent, compared to the overall median probability of 79 percent (Atkeson et al., 2010). This and other mechanisms by which minorities are disproportionately impacted by ID laws bear further investigation. What is the impact of strict voter identification laws and debates that vilify minorities on the way to defending them on the political efficacy and trust of minority voters? How prevalent are misunderstandings about the need for an ID and what constitutes a valid ID in states with strict laws? How effective are voter awareness campaigns at reaching those most likely to be impacted? What is the impact of time, and do voters adjust to new laws after a handful of elections?

The fate of voter ID laws remains undecided. In 2016, state courts struck down or amended laws in Wisconsin, North Dakota, North Carolina and Texas. Yet proponents of voter ID laws appealed each of these decisions, and with only eight presiding justices spectators on all sides are concerned about the outcome should one be taken up by the Supreme Court. This essay situates voter ID laws as a new wave of restrictive law which because of the costs and administrative paperwork involved, advocacy groups such as the NAACP and MALDEF have compared to poll taxes or literacy tests. Thus, the challenge presented by these laws for American democracy is timeless and the policy implications are substantial.

References

- Ansolabere, Stephen. 2009. "Effects of Identification Requirements on Voting: Evidence from the Experiences of Voters on Election Day." *PS: Political Science and Politics*, 42(1): 127-130.
- Atkeson, Lonna Rae, Bryant, Lisa Anna, Hall, Thad E., Saunders, Kyle L., Alvarez, Michael R. 2010. "A new barrier to participation: Heterogenous application of voter identification policies." *Electoral Studies*, 29: 66-73.
- Atkeson, Lonna Rae, Alvarez, Michael R., Hall, Thad E., Sinclair, Andrew J. 2014. "Balancing Fraud Prevention and Electoral Participation: Attitudes Toward Voter Identification." *Social Science Quarterly*, 95(5): 1381-1398.
- Bachu, Amara and Martin O'Connell. 1995. "Mothers who receive AFDC payments" U.S. Census Bureau Statistical Brief.
<http://www.census.gov/population/socdemo/statbriefs/sb2-95.html>.
- Barreto, Matt A., Nuño, Stephen A., and Sanchez, Gabriel R. 2009. "The Disproportionate Impact of Voter-ID Requirements on the Electorate: New Evidence from Indiana." *Political Science and Politics*, 42(1): 111-116.
- Barreto, Matt and Stephen Nuño. 2011. "The Effectiveness of Co-Ethnic Contact on Latino Political Recruitment." *Political Research Quarterly*. 64: 448-459.

- Bawn, K., Cohen, M., Karol, D., Masket, S., Noel, H., & Zaller, J. (2012). A Theory of Political Parties: Groups, Policy Demands and Nominations in American Politics. *Perspectives on Politics*, 10(3), 571-597.
- Blake, Aaron. 2012, October 2. "Everything You Need to Know About the Pennsylvania Voter ID Fight." *The Washington Post*.
- Bentele, Keith Gunnar and O'Brien, Erin E. 2013. "Jim Crow 2.0?: Why states consider and adopt restrictive voter access policies." *Perspectives on Politics*, 11(4): 1088-1116.
- Berelson, Bernard R., Lazarsfeld, Paul F., and McPhee, William N. 1954. *Voting: A Study of Opinion Formation in a Presidential Campaign*. Chicago: University of Chicago Press.
- Bowler, Shaun and Todd Donovan. 2016. "A Partisan Model of Electoral Reform: Voter Identification Laws and Confidence in State Elections." *State Politics and Policy Quarterly*.
- Chambers, Henry. 2016. "State and Local Officials and Voter ID." *Election Law Journal*, 15(3).
- Cohen, Andrew. 2012. "Why Pennsylvania's Vote Suppressors Can Never Win." *The Atlantic*, September 25. <http://www.theatlantic.com/national/archive/2012/09/why-pennsylvanias-vote-suppressors-can-never-win/262809/>

Davidson, Chandler. 1992. "The Voting Rights Act: A Brief History." In *Controversies in Minority Voting*, eds. Bernard Grofman and Chandler Davidson. Brookings Institution Press.

Davidson, Chandler. 2009. "The Historical Context of Voter Photo-ID Laws." *PS: Political Science and Politics*, 42(1): 93-96.

Dawson, Michael C. 1994. "Behind the Mule: Race and Class in African- American Politics." Princeton: Princeton University Press.

Downs, Anthony. 1957: *An Economic Theory of Democracy*. New York: Harper & Row.

ElectTomHorne. 2013. "Tom Horne Defends Against Fed Overreach on Behalf of AZ Voters." [Press Release]. Retrieved from <http://www.electtomhorne.com/tag/voter-fraud/>

Erikson, Robert S., and Lorraine C. Minnite. 2009. "Modeling Problems in the Voter Identification – Voter Turnout Debate." *Election Law Journal* 8 (2): 85-101.

Farias, Christian. 2016. "Wisconsin Gets to Enforce Restrictive Voter ID Law, With One Big Twist." *The Huffington Post*, August 27.

[http://www.huffingtonpost.com/entry/wisconsin-voter-id-](http://www.huffingtonpost.com/entry/wisconsin-voter-id-law_us_57c0ac7ae4b04193420f3492)

[law_us_57c0ac7ae4b04193420f3492](http://www.huffingtonpost.com/entry/wisconsin-voter-id-law_us_57c0ac7ae4b04193420f3492)

Frymer, Paul. 1999. *Uneasy alliances : Race and party competition in America*. Princeton, N.J.: Princeton University Press.

Gaskins, Keesha and Iyer, Sundeep. 2012. "The Challenge of Obtaining Voter Identification." New York: *Brennan Center for Justice, New York University School of Law*.

Grofman, Bernard, and Lisa Handley. 1991. "The Impact of the Voting Rights Act on Black Representation in Southern State Legislatures." *Legislative Studies Quarterly* 16 (1): 111-28.

Grofman, Bernard, Lisa Handley, and Richard Niemi. 1992. *Minority Representation and the Quest for Voting Equality*. New York: Cambridge University Press.

Grossmann, M., and Hopkins, D. 2015. "Ideological Republicans and Group Interest Democrats: The Asymmetry of American Party Politics." *Perspectives on Politics*, 13(1), 119-139.

Groth, William R. 2009. "Litigating the Indiana Photo ID Law: Lessons in Judicial Dissonance and Abdication." *PS: Political Science and Politics*, 42(1): 97-101.

Hajnal, Zoltan, Lajevardi, Nazita, Nieson, Lindsay. "Voter Identification Laws and the Suppression of Minority Votes." *Forthcoming in the Journal of Politics*.

Hayden, Grant. 2002. "Voting and Political Participation." *The Oxford Companion to American Law*. Oxford: Oxford University Press.

- Hershey, Marjorie R. 2009. "What We Know About Voter ID Laws, Registration, and Turnout." *Political Science and Politics* 42 (1): 87-91.
- Herron, Michael, and Daniel A. Smith. 2012. "Souls to the Polls: Early Voting in Florida in the Shadow of House Bill 1355." *Election Law Journal* 11 (3): 331-47.
- Herron, Michael, and Daniel A. Smith. 2013. "House Bill 1355 and Voter Registration in Florida." *State Politics and Policy Quarterly* 13 (3): 279-305.
- Hicks, William D. McKee, Seth C., Sellers, Mitchell D., and Smith, Daniel A. 2015. "A principle or a strategy? Voter identification laws and partisan competition in the American states." *Political Research Quarterly*, 68(1): 18-33.
- Hood, MV., and Bullock, CS. 2008. "Worth a Thousand Words? An Analysis of Georgia's Voter Identification Law." *American Politics Research* 36 (4):555-579.
- Hood, MV., and Bullock, CS. 2012. "Much ado about nothing? An empirical assessment of the Georgia voter identification statute." *State Politics and Policy Quarterly*, 12(4): 394-414.
- Jackson, Robert A. 1993. "Voter Mobilization in the 1986 Midterm Election." *The Journal of Politics* 55: 1081-99.

- Kousser, Morgan. 2013. "The strong case for keeping Section 5." Reuters. February 13.
- Larocca, R., and Klemanski, J. S. 2011. "U.S. state election reform and turnout in Presidential elections." *State Politics & Policy Quarterly*, 11, 76-101.
- Lindell, Chuck. 2016. "Texas Heading Back to Court Over Voter ID Law." *Statesman*, September 13. <http://www.statesman.com/news/news/texas-heading-back-to-court-over-voter-id-law/nsXPG/>
- Lopez, Ashley. 2016. "Justice Department: New Texas Voter ID Rules are Misleading to Voters." *National Public Radio*, September 10. <http://www.npr.org/2016/09/10/493329353/justice-department-new-texas-voter-id-rules-are-misleading-to-voters>
- McCarthy, Justin. 2016. "Four in Five Americans Support Voter ID Laws, Early Voting." Washington, D.C.: Gallup. http://www.gallup.com/poll/194741/four-five-americans-support-voter-laws-early-voting.aspx?utm_source=tagrss&utm_medium=rss&utm_campaign=syndication
- Mendez, Matthew and Grose, Christian R. 2014. "Revealing Discriminatory Intent: Legislator Preferences, Voter Identification, and Responsiveness Bias." USC CLASS Research

Paper No. 14-17. Retrieved from:

papers.ssrn.com/sol3/papers.cfm?abstract_id=2422596##

Michelson, M. 2003. "The Corrosive Effect of Acculturation: How Mexican Americans Lose Political Trust." *Social Science Quarterly*, 84(4), 918-933.

Milyo, J. 2007. *The effects of photographic identification on voter turnout in Indiana: A county-level analysis* (Report No. 10-2007). Columbia: Institute of Public Policy, University of Missouri.

Minnite, Lorraine. 2007. "The Politics of Voter Fraud." A Project Vote Report, March 5, 2007.

Report available at; <http://projectvote.org/publications/reports-guides.html>

Minnite, Lori and David Callahan. 2003. *Securing the vote: an analysis of Election Fraud*. New York: demos: network for ideas and Action.

Muhlhausen, David B., and Keri Weber Sikich. 2007. "New Analysis Shows Voter Identification Laws Do Not Reduce Turnout." *A Report of The Heritage Center for Data Analysis*. CDA07-04. 10 September.

Mycoff, Jason D., Wagner, Michael D., and Wilson, David C. 2009. "The Empirical Effects of Voter ID Laws: Present or Absent?" *PS: Political Science and Politics*, 42(1): 121-126.

National Conference of State Legislatures. 2016. "Voter Identification Requirements."
<http://www.ncsl.org/legislatures-elections/elections/voter-id.aspx#Legislation>.

Osborne, Jason. 2011. "Best Practices in Using Large, Complex Samples: The Importance of Using Appropriate Weights and Design Effects Compensation." *Practical Assessment, Research & Evaluation* 16 (2): 1-7.

Parker, Christopher. 2009. "When Politics Becomes Protest." *Journal of Politics*, 71(1): 113-131.

Pastor, Robert, Robert L. Santos, Alison Prevost and Vassia Gueorguieva. 2008. "Voter IDs Are Not the Problem: A Survey of Three States." American University: Center for Democracy and Election Management.

Pedraza, Francisco. 2014. "The Two-Way Street of Acculturation, Discrimination, and Latino Immigration Restrictionism." *Political Research Quarterly*, 67(4): 889-904.

Pitts, Michel J. 2015. "Empirically Measuring the impact of photo ID over time and its impact on women." *Indiana Law Review*, 48: 605-630.

Rosenstone, Steven J., and John Mark Hansen. 1993. *Mobilization, Participation, and Democracy in America*. New York: Macmillan Publishing.

Rosenstone, Steven, and Raymond Wolfinger. 1978. "The Effect of Registration on Voter Turnout." *The American Political Science Review* 72 (1): 22-45.

Shanton, Karen. 2014. "Voter ID in the Courts: An Introduction to Legal Challenges to Voter ID Laws." Denver: National Conference of State Legislatures.

http://www.ncsl.org/documents/legismgt/elect/Voter_ID_Courts_May2014.pdf

Sobel, Richard, and Smith, Robert Ellis. 2009. "Voter ID Laws Discourage Participation, particularly among minorities, and trigger a constitutional remedy in lost representation." *PS: Political Science and Politics*, 42(1): 107-110.

Southwick Associates. 2010. "A Portrait of Hunters and Hunting License Trends: National Report." National Shooting Sports Foundation.

<http://www.nssf.org/PDF/HuntingLicTrends-NatlRpt.pdf>

Tate, Katherine. 1994. "From Protest to Politics. The New Black Voters in American Elections." Cambridge: Harvard University Press.

Tourangeau, Roger. "Recurring Surveys: Issues and Opportunities." *A Report to the National Science Foundation*. Social, Behavioral and Economic Sciences Workshop, March 28-9, 2003.

Tucker, Cynthia. 2013, August 13. "For GOP, 'Ballot Integrity' Is a Myth." *PennLive*.

http://www.pennlive.com/opinion/index.ssf/2013/08/for_gop_ballot_integrity_is_a_myth_cynthiatucker.html

Verba, Sidney, Schlozman, Kay, and Henry Brady. 1995. *Voice and Equality: Civic Voluntarism in American Politics*. Cambridge: Harvard University Press.

Vercellotti, Timothy, and Anderson, David. 2006. "Protecting the Franchise, or Restricting It? The Effects of Voter ID Requirements on Turnout." *Paper prepared for the Annual Meeting of the American Political Science Association*, Philadelphia, Pennsylvania. 31 August– 3 September.

Vercellotti, Timothy, and Anderson, David. 2009. "Voter-Identification Requirements and the Learning Curve." *PS: Political Science and Politics*, 42(1): 117-120.

Watson, Susan. 2015. "Alabama's DMV Shutdown Has Everything to Do With Race." *American Civil Liberties Union*. <https://www.aclu.org/blog/speak-freely/alabamas-dmv-shutdown-has-everything-do-race>

Wolfinger, Raymond, and Jonathan Hoffman. 2001. "Registering and Voting with Motor Voter." *Political Science and Politics* 34 (1): 85-92.

Wolfinger, Raymond E., and Stephen J. Rosenstone. 1980. *Who Votes?* New Haven, CT: Yale University Press.

Table 1: Percent Possessing a Valid Piece of Voter ID by Racial Group and Party Identification

	Race				Party ID		
	White	Black	Latino	Asian	Rep	Ind	Dem
ANES 2012	93.1	82.7***	81.5***	85.8**	92.2	90.9	88.3***
National 2008	88.1	78.0***	80.7***	80.8**	89.3	88.4	82.3***
Wisconsin	92.7	86.8***	85.1***	n/a	91.2	90.7	89.4
Pennsylvania	86.0	86.8	81.7*	n/a	90.0	86.9	84.9**
Indiana	85.1	72.4***	74.4	n/a	84.4	81.8	80.9
California ^a	95.3	n/a	86.2***	78.1***	91.7	92.3	88.2
Washington	94.9	n/a	93.0	85.3**	92.2	93.0	95.3
New Mexico	95.8	94.6	93.7	n/a	95.4	94.6	94.3
Combined ^b	90.7	80.8***	83.7***	83.6***	90.8	89.5	87.2***
Total N	10,201	3,675	4,486	1,225	5,830	5,607	8,215

^aThe California, Washington, and New Mexico datasets were exit polls, and thus include only actual voters. Further, respondents in these surveys were not asked to verify the expiration date, name and address on their identification card as were respondents in the other five datasets. ^bThe Total N represents the overall subgroup size. For example, in the combined data set 90.7 percent of Whites possess a valid photo ID, where 10,201 is the white denominator. *P<.05, ** p<.01, ***<.001. Stars reflect logistic regression analysis, and indicate statistical difference from whites and Republicans.

200 words

**Table 2: Logistic Regression Results:
Possession of a Valid Piece of Voter Identification by Race and Party ID, Across Voting Groups**

	Race			Party ID	
	Black	Latino	Asian	Democrat	Independent
All Respondents	-0.828*** (0.064)	-0.626*** (0.071)	-0.622*** (0.144)	-0.379*** (0.058)	-0.055 (0.062)
Registered Voters	-0.916*** (0.068)	-0.595*** (0.079)	-0.583*** (0.160)	-0.448*** (0.063)	-0.0271 (0.070)
Prior Voters	-0.807*** (0.079)	-0.463*** (0.089)	-0.668*** (0.166)	-0.511*** (0.069)	-0.0529 (0.078)

Table 2 results reflect the combined national dataset; *P<.05, ** p<.01, ***<.001. Stars reflect logistic regression analysis, and indicate statistical difference from whites and Republicans.

89 words