



To: Kevin J. Kennedy, Director and General Counsel, Government Accountability Board  
From: Professors Barry C. Burden, David T. Canon, Kenneth R. Mayer, Donald P. Moynihan,  
UW-Madison Department of Political Science and La Follette School of Public Affairs  
Date: January 4, 2011  
Re: Research on voter identification laws

The state legislature will be considering new voter identification legislation early this year. We wish to help inform the discussion of this issue by providing a brief summary of what is known from academic research on voter ID laws in other states. Our hope is that this document will foster an ongoing, productive discussion among administrators, legislators, and researchers about how to implement voter ID requirements in the most effective manner possible.

Our review is divided into sections dealing with effects of voter ID laws on (1) vulnerable populations, (2) state and municipal budgets, and (3) overall voter participation.

### **Vulnerable Populations**

The overwhelming majority of registered voters claim to have photo IDs,<sup>1</sup> but this conclusion is tempered in several ways.<sup>2</sup> A national survey conducted after the November 2008 election found that 95% of respondents had a driver's license, but that 16% lacked a license that was both current (unexpired) and valid (has the correct name).<sup>3</sup> Further, many people who believe their IDs are sufficient find that they are not.<sup>4</sup>

More than two million voters were forced to cast provisional ballots in 2008.<sup>5</sup> Although the EAC data are incomplete, it appears that at least two percent of these provisional ballots were rejected for lack of ID. The prevalence of current and valid IDs is thus a real concern.

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<sup>1</sup> Robert A. Pastor, Robert Santos, Alison Prevost, and Vassia Stoilov. 2009. "Voting and ID Requirements: A Survey of Registered Voters in Three States." *American Review of Public Administration* 40:461-81.

<sup>2</sup> Michael J. Pitts. 2008. "Empirically Assessing the Impact of Photo Identification at the Polls through an Examination of Provisional Balloting." *Journal of Law & Politics* 24:475-27.

<sup>3</sup> Survey on the Performance of American Elections. Final Report. 2009.  
<http://www.pewcenteronthestates.org/uploadedFiles/Final%20report20090218.pdf>

<sup>4</sup> "Citizens without Proof: A Survey of Americans' Possession of Documentary Proof of Citizenship and Photo Identification." 2006. Brennan Center for Justice. [http://www.brennancenter.org/page/-/d/download\\_file\\_39242.pdf](http://www.brennancenter.org/page/-/d/download_file_39242.pdf)

<sup>5</sup> Election Assistance Commission. "The 2008 Election Administration and Voting Survey."  
<http://www.eac.gov/assets/1/Documents/2008%20Election%20Administration%20and%20Voting%20Survey%20EAVS%20Report.pdf>

The most consistent finding from academic studies is that voter ID requirements disproportionately affect several subpopulations: ethnic and racial minorities, high school and college students, senior citizens and disabled, women, and those with low incomes.

Minority groups are at particular risk for not having ID. One study shows that roughly half of African American and Hispanics in Wisconsin lack a valid driver's license.<sup>6</sup> A study of Georgia's law finds that blacks and Hispanics are two to three times as likely as whites to be without a license.<sup>7</sup>

Students' voting rights are threatened by laws requiring that a voter's residential address appear on the ID. This is a particular issue in Wisconsin. Exit polls show that Wisconsin is frequently first in the nation in the percentage of voters who are under 30, many of whom are students.<sup>8</sup> Between 80% and 90% of Wisconsin college students do not have driver's licenses that match their campus residence.<sup>9</sup> For this reason, Idaho permits the use of high school and college photo IDs at the polls.<sup>10</sup>

Most of the elderly who live in nursing homes or assisted living no longer have valid driver's licenses and many do not have government-issued ID. For similar reasons, the disabled frequently lack sufficient ID. Approximately 180,000 Wisconsinites aged 65 and older are without a driver's license or state photo ID.<sup>11</sup> A national survey finds that 18% of senior citizens do not have government-issued photo ID.<sup>12</sup> AARP has advocated for provision a person without a photo ID to substitute another form of identification or sign a personal identification affidavit. These accommodations are part of the laws in seven other states.<sup>13</sup> Requiring an ID to vote would be especially burdensome on these groups.

Women are at unique risk for not having valid IDs. Due to marriage and other life events, only about half of women possess a birth certificate with their current legal name. One third of women have no current ID.<sup>14</sup> Anecdotal accounts suggest that name mismatches are a serious impediment for many women voters, even those with many forms of documentation.<sup>15</sup>

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<sup>6</sup> John Pawasarat. 2005. "The Driver License Status of the Voting Age Population in Wisconsin." <http://www4.uwm.edu/eti/barriers/DriversLicense.pdf>.

<sup>7</sup> M.V. Hood III and Charles S. Bullock III. 2008. "Worth a Thousand Words? An Analysis of Georgia's Voter Identification Statute." *American Politics Research* 38:555-79.

<sup>8</sup> Craig Gilbert. 2010. "Did Young Voters Turn Out in Wisconsin This Year? More than Most States." *Milwaukee Journal Sentinel*. November 18. <http://www.jsonline.com/blogs/news/108828329.html>.

<sup>9</sup> Pawasarat.

<sup>10</sup> National Conference of State Legislatures. "Voter ID: State Requirements." <http://www.ncsl.org/default.aspx?tabid=16602>. Accessed December 28, 2010.

<sup>11</sup> Pawasarat.

<sup>12</sup> "Citizens without Proof"

<sup>13</sup> National Conference of State Legislatures.

<sup>14</sup> "Citizens without Proof."

Low income individuals are also a concern. A survey in Indiana finds that 21% of individuals who make less than \$40,000 per year do not have a valid photo ID.<sup>16</sup> Providing free government-issued ID to those who request it is only a partial remedy. To claim that ID, a person might need to provide documentation such as a birth certificate. The fee for a Wisconsin birth certificate is \$20. The bipartisan Carter-Baker Commission recommended using the REAL ID for voting, but only if states engage in proactive outreach to low income populations using mobile offices to provide free IDs.<sup>17</sup>

## State and Municipal Budgets

By most accounts voter fraud is uncommon.<sup>18</sup> Voter ID only targets voter impersonation at the polls, one of the rarest of all voter crimes. It does not address fraud by ineligible voters or abuse of the voter registration process.

Despite its limited impact on fraud, the cost for combating voter impersonation may be substantial. Missouri officials estimated the cost of the state's voter ID law at \$6 million for the first year and \$4 million for each of the next two years.<sup>19</sup> An eight-year old study by the Wisconsin Legislative Fiscal Bureau estimated the immediate cost of implementation at roughly \$1 million to the Department of Transportation.<sup>20</sup> In addition to inflation, there would be additional costs to the GAB and clerks to educate the public, train election inspectors, and provide IDs that are truly free.

## Voter Participation

Studies of the effect of voter ID laws on voter turnout find no discernable relationship or a small negative impact of up to three percentage points.<sup>21</sup> Some researchers have

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<sup>15</sup> Petula Dvorak. 2009. "After Identity Tangle at the DMN, She'll Keep Her Vote to Herself Today." Washington Post. November 3. [http://www.washingtonpost.com/wp-dyn/content/article/2009/11/02/AR2009110202092\\_pf.html](http://www.washingtonpost.com/wp-dyn/content/article/2009/11/02/AR2009110202092_pf.html).

<sup>16</sup> Matt A. Barreto, Stephen A. Nuño, and Gabriel R. Sanchez. 2009. "The Disproportionate Impact of Indiana Voter ID Requirements on the Electorate." *PS: Political Science & Politics* 42: 111-6.

<sup>17</sup> "Building Confidence in U.S. Elections: Report of the Commission on Federal Election Reform." 2005. [http://www1.american.edu/ia/cfer/report/full\\_report.pdf](http://www1.american.edu/ia/cfer/report/full_report.pdf).

<sup>18</sup> Justin Levitt. 2007. "The Truth about Voter Fraud." Brennan Center for Justice.

<http://www.truthaboutfraud.org/pdf/TruthAboutVoterFraud.pdf>. Lorraine C. Minnite. 2010. *The Myth of Voter Fraud*. Ithaca, NY: Cornell University Press. Spencer Overton. 2007. "Voter Identification." *Michigan Law Review* 106:631-82.

<sup>19</sup> Committee on Legislative Research Oversight Division, Fiscal Note, L.R. No.: 4947-25, Bill No.: Truly Agreed To and Finally Passed CCS #2 for HCS for SS #2 for SCS for SB 1014 & 730. May 12, 2006

<sup>20</sup> Memo from Bob Lang to Members of the Joint Committee on Finance. March 11, 2003.

<sup>21</sup> R. Michael Alvarez, Delia Bailey, and Jonathan N. Katz. 2008. "The Effect of Voter Identification Laws on Turnout." California Institute of Technology. [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1084598](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1084598). Brad T. Gomez. 2008. "Uneven Hurdles: The Effect of Voter Identification Requirements on Voter Turnout." Florida State University. [http://myweb.fsu.edu/bgomez/Gomez\\_VoterID\\_2008.pdf](http://myweb.fsu.edu/bgomez/Gomez_VoterID_2008.pdf). Lott. Marjorie Randon Hershey. 2009. "What We Know about Voter-ID Laws, Registration, and Turnout." *PS: Political Science & Politics* 42:87-91. Jeffrey

suggested that ID laws might actually increase turnout,<sup>22</sup> but we found no research showing that effect. While research finds only a modest effect on overall voter participation, data limitations make these relationships notoriously difficult to estimate.<sup>23</sup>

Although most studies find that overall voter turnout is little affected by voter ID, vulnerable populations such as those with lower incomes are less likely to participate when voter ID is implemented.<sup>24</sup> As a consequence, African American, Latinos, and other groups with lower incomes are less apt to vote under voter ID.<sup>25</sup> A study by researchers at Brown University also found that voter ID deters foreign-born citizens from becoming naturalized citizens.<sup>26</sup>

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Milyo. 2007. "The Effect of Photographic Identification on Voter Turnout in Indiana: A County-Level Analysis." University of Missouri. [http://brennan.3cdn.net/52cdaf4251969e2042\\_vnm6ivu54.pdf](http://brennan.3cdn.net/52cdaf4251969e2042_vnm6ivu54.pdf).

<sup>22</sup> John R. Lott, Jr. 2006. "Evidence of Voter Fraud and the Impact of Regulations to Reduce Fraud Have on Voter Participation Rates." [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=925611](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=925611).

<sup>23</sup> Robert S. Erikson and Lorraine C. Minnite. 2009. "Modeling Problems in the Voter Identification-Voter Turnout Debate." *Election Law Journal* 8:85-101. Lott.

<sup>24</sup> Alvarez et al. "Report to the U.S. Election Assistance Commission on Best Practices to Improve Voter Identification Requirements Pursuant to the Help America Vote Act of 2002." Eagleton Institute of Politics, Rutgers and Moritz College of Law, Ohio State. [http://www.eac.gov/assets/1/workflow\\_staging/Page/62.PDF](http://www.eac.gov/assets/1/workflow_staging/Page/62.PDF). Barreto et al. Gomez.

<sup>25</sup> Hershey. John R. Logan and Jennifer Darrah. 2008. "The Suppressive Effects of Voter ID Requirements on Naturalization and Political Participation." Brown University. <http://www.s4.brown.edu/voterid/Voter%20id%20report%20final.pdf>.

<sup>26</sup> Logan and Darrah.