

PROOF OF CITIZENSHIP REQUIREMENTS: BACKGROUND AND KEY MESSAGES

WHAT RESEARCH SHOWS

- **Challenge — Voters Mistakenly Believe Fraud Is a Problem:** Although very few cases have been found or proven, most voters believe we have a responsibility to prevent fraud. This sensibility is coupled with a mistaken view held by most voters that fraud is a widespread problem.
- **Challenge — Voters Favor ID Requirements:** Advocates must be careful in educating voters about the challenges associated with many voter ID policies because a majority of people tend to favor some form of photo ID.
- **Opportunity — Americans Oppose Politically-Motivated Barriers to Voting:** 81 percent of voters believe it is wrong to “create new barriers for partisan purposes that make it harder to vote.” Research shows that attributing voting barriers to political motivations and electoral manipulation is a highly effective message across a range of constituencies.

America is in the midst of a high-pitched and often highly partisan battle over voting rights. On one side, politicians are passing laws and executive actions that would make it harder for millions to vote. This started after the 2010 midterm elections, when new state legislative majorities pushed a wave of laws cracking down on voting, including measures requiring voters to show proof of citizenship at the polls. On the other side, groups of voters and advocates are pushing back — in the legislatures, at the ballot box, and, especially, in the courts. Many Americans face an ever-shifting voting landscape before heading to the polls. The national struggle over voting rights is the greatest in decades.

As many as 7 percent of United States citizens — 13 million individuals — do not have ready access to citizenship documents, such as U.S. passports, naturalization papers, or birth certificates. Citizens with comparatively low incomes are less likely to possess documentation proving their citizenship. For example, citizens earning less than \$25,000 per year are more than twice as likely to lack ready access to citizenship documentation as those earning more than \$25,000. And even many of those who do have citizenship documents do not

have documentation that reflects their current name. For example, survey results show only 48 percent of voting-age women with ready access to their U.S. birth certificates have one with their current legal name.

EASING ACCESS TO VOTING: STATES RELAXING PROOF OF CITIZENSHIP REQUIREMENTS

In the past year, 11 states across the country have introduced bills that would relax existing voter ID or proof of citizenship laws. These include Arizona, Kansas, New Hampshire, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, and Wisconsin.

ERECTING BARRIERS: STATES ADDING BURDEN OF PROOF FOR VOTING

At least 4 states have introduced bills requiring proof of citizenship, such as a birth certificate, to register or vote. These include Massachusetts, Oklahoma, South Carolina, and Utah. Additionally, both Arizona and Kansas are currently involved in a court fight so that they can continue to require proof of citizenship upon registration.

THELMA MITCHELL: Harmed by Citizenship Requirements

For 30 years, 93-year-old Thelma Mitchell cleaned the state Capitol in Nashville, Tennessee. Her old employee ID, issued by the state, didn't satisfy the new state law requiring a photo ID to vote (even though her photo was on it). But she couldn't get a valid photo ID because she was delivered by a midwife in Alabama in 1918 and was never issued a birth certificate. As a result, Mitchell — a U.S. citizen — risked losing her right to vote for the first time in decades because she couldn't get the photo ID citizens are now required to show in order to vote in Tennessee.

KEY FACTS

When campaigning against stringent proof of citizenship requirements, some facts advocates can cite include:

- **Documents Not Always Readily Available:** 7 percent of the American citizens surveyed — or 13 million people — responded that they do not have ready access to U.S. passports, naturalization papers, or birth certificates.
- **Discriminating Against Low-Income Voters:** Citizens with comparatively low incomes are less likely to possess documentation proving their citizenship. Individuals earning less than \$25,000 per year are more than twice as likely to lack ready documentation of their citizenship as those earning more than \$25,000.
- **Many Documents Have Incorrect Information:** For example, survey results show that only 48 percent of voting-age women with ready access to their U.S. birth certificates have one with their current legal name — and only 66 percent of voting-age women with ready access to any proof of citizenship have a document with their current legal name.

KEY MESSAGES

For advocates engaged in efforts to eliminate burdensome proof of citizenship laws, the following key messages can be used to reach target audiences:

- We all agree — it's important to protect the integrity of our elections. But I don't support some politicians trying to manipulate voting laws because they don't like what the voters have to say. They are deliberately trying to limit the voting rights of people who may not support them. It's wrong to pass laws for political gain that take away the right to vote from eligible citizens.
- As the leading democracy of the world, we can all agree that our voting system should be free, fair, and accessible to all eligible Americans.
- Laws requiring voters to demonstrate proof of citizenship aren't reasonable election regulations. They are efforts by some politicians to manipulate the system for their own advantage. These laws could keep millions of eligible citizens from participating.
- In a country founded on the principle that we are all "created equal," it's just wrong to pass laws that keep some eligible Americans from participating equally in the political process.

For more on new voting restrictions passed since the 2010 election, visit: www.brennancenter.org/votingsince2010