

## FREQUENTLY ASKED QUESTIONS: ALABAMA'S DISCRIMINATORY PHOTO ID LAW

### 1. Doesn't everyone already have photo ID? What is so bad about asking people for photo ID in order to vote?

Although many of us are lucky enough to have photo IDs, a substantial number of people do not. Just last year, the Alabama Secretary of State estimated that [250,000 registered voters](#) in the state lack the photo ID required to vote. Black and Latino voters are much less likely than whites to possess the required photo ID. Nationally, [25% of Black and 16% of Latino voting-age citizens](#) have no form of government issued photo ID, compared to just 8% of whites.

In Alabama, people of color are much less likely than whites to own a vehicle or to drive. As a result, it is more difficult for Black and Latino voters to travel to DMV offices and secure the necessary ID, particularly given the limited hours of those offices. Additionally, Alabama's recent decision to largely close DMV offices in the Black Belt and other rural communities has only made it [more difficult](#) for Black and Latino voters living in these communities. Now, voters face hours of travel to get to a DMV office that is open more than one day a month. This can be nearly impossible for rural voters who lack access to a vehicle or intercity public transportation.

Further, Black and Latino residents of Alabama are nearly [three times as likely](#) as white residents to live in poverty, which means that acquiring or maintaining a photo ID can be even more burdensome. Many people of color cannot afford to pay the \$36.25 fee for a driver's license or non-driver ID, the \$31.25 fee to renew an expiring state ID, or the fees to obtain a birth certificate (\$15) or a naturalization document (\$345).

### 2. Doesn't Alabama give out free photo voter ID cards and free birth certificates to people who need them?

While the State of Alabama does issue free photo voter ID cards, these IDs are only available to a select population and only issued at a small number of locations that are often difficult to access.

Only people who lack any other form of photo ID can apply for a voter ID card. A person who applies for the voter ID card must [sign an oath](#), under the penalty of a felony conviction, that the application is correct. The threat of prosecution is likely to discourage anyone that is not totally certain that they are eligible to apply for a voter ID card. In addition, this voter ID card can only be used for voting and cannot be used as proof of identity outside of the voting booth; whereas a driver's license or non-driver ID can be used for voting, driving, or as a general form of ID.

These problems undoubtedly contribute to the fact that only [5,070 voter ID cards](#) were issued by the Secretary of State and county registrars ahead of the November 2014 elections. Thus, even though they offered the voter ID card, Alabama state officials utterly failed to bridge the gap for the hundreds of thousands of voters who lack the photo ID necessary to vote and fell far short of the Secretary of State's own modest goal of issuing 12,000 cards.

Moreover, although Alabama purports to provide free birth certificates to persons in need of voter ID cards, the State only provides free birth certificates to individuals who were born in the state and who are seeking the single-purpose voter ID card (i.e., not to persons who may reasonably need a driver's license or another form of ID in order to vote). Further, this "free" birth certificate program does nothing for Alabama residents born in other U.S. states or in other countries; nor does it help people whose births were not recorded and who have no birth certificate – a common problem for many Black people born in Alabama during the Jim Crow era.

### **3. Doesn't Alabama issue voter ID cards at Boards of Registrars' Offices and Have Mobile ID-issuing units that help minimize travel burdens of obtaining photo ID?**

The free photo voter ID is only available at board of registrars' offices and through mobile ID-issuing units. Many rural residents who live outside the county seat – such as residents living in Macon, Greene, Sumter, Lowndes, Bullock, Perry, Wilcox, and Hale counties – would have to [travel long distances](#) and visit the registrar's offices during regular weekday business hours. No registrars are open on weekends or after 5:00 and many are even closed for the lunch hour. In addition, because Black and Latino people in Alabama are less likely than white people to own vehicles, accessing these locations can be even more difficult. Lack of vehicle access is a particularly difficult burden to overcome in Alabama, which invests no state money in public transportation. In 2011, Alabama ranked 48<sup>th</sup> nationwide in intercity public transit access and approximately 844,000 rural residents have no access to intercity public transit services.

The mobile ID unit program is also limited in funding and operating hours. In many counties, mobile ID units have visited only once. The mobile units are also often located close to the boards of registrars' offices, so they do not adequately expand service to many rural and isolated areas. In fact, the mobile ID units have issued a mere 29 photo voter ID cards this year.

### **4. Regardless, doesn't requiring photo ID of voters help prevent against the danger of voter fraud?**

There is no evidence of substantial in-person voter impersonation fraud. Indeed, over the 12-year period prior to the photo ID law's passage, while 22.4 million people voted in Alabama, there was [just one](#) documented instance of in-person voter impersonation fraud.

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#### ***About the NAACP Legal Defense Fund (LDF)***

*Since its founding in 1940 by Thurgood Marshall, the NAACP Legal Defense Fund (LDF) has been a pioneer in the struggle to secure and to protect the equal rights of Black people and other people of color. LDF has been involved in nearly all of the precedent-setting litigation relating to minority voting rights. In recent years, the organization has represented Black voters in challenges to discriminatory photo ID laws in Texas, Arkansas, South Carolina, and elsewhere and has also defended the continued importance of the Voting Rights Act itself before the U.S. Supreme Court. LDF has also litigated to protect the rights of Alabama voters since its inception, including working to protect against disruptions of Dr. Martin Luther King Jr.'s voting rights march from Selma to Montgomery, Alabama shortly after the notorious "Bloody Sunday" incident of March 7, 1965. LDF has been a separate entity from the NAACP since 1957.*