



National Coalition for the Homeless

Bringing America Home

Wednesday August 17, 2011

The Honorable Eric H. Holder, Jr.
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Attorney General:

The National Coalition for the Homeless is writing to express our concerns about voting reform legislation that has been passed or is being considered in several states. We believe many of those so-called "reforms" disenfranchises people experiencing homelessness. We believe also that these laws are discriminatory and violate the Voting Rights Acts of 1965. All of these so-called reforms have the effect of reducing the ability of homeless people to register and to vote.

The right to vote is the foundation of democracy in this country, and any legislation that restricts this right should be met with the full scrutiny of the Department of Justice. We believe that changes that have passed in state legislatures or are awaiting a vote will have the effect of suppressing the vote especially for homeless people, minority populations, the elderly, naturalized citizens, students, and those trying to rebuild their lives after release from incarceration.

This year, South Carolina, Georgia, Wisconsin, Texas, Tennessee, Alabama, and Rhode Island joined seven other states in requiring photographic identification to vote in person. While studies have shown that as high as 11% of eligible voters nationwide do not have such identification, the percentage is unquestionably higher among people experiencing homelessness. In addition, the process for obtaining a government-issued ID is more restrictive for individuals without a stable residence to use as an address. Also, many of those experiencing homelessness cannot afford or cannot wait the length of time it often takes to purchase a copy of their birth certificate to obtain state identification. We know that many elderly, especially those born in the South, had a tradition of midwifery before 1960 and therefore do not have a birth certificate to obtain a state identification.

We believe that these laws will disenfranchise thousands of legitimate voters to solve a problem that voting experts claim is documented in only a handful of cases out of the tens of millions of votes cast in the last seven years. We urge the Justice Department to intervene to protect the sanctity of the vote and require equal access to the ballot box across the United States.

Other changes that have become law will have a serious negative impact on those experiencing homelessness:

- Florida this year restricted third party registration procedures and forced a five year waiting period before a felon can even apply to have his or her voting rights restored.
- Georgia was challenged in court for not enforcing the 1993 National Voter Registration Act commonly called “motor voter law” thus potentially disenfranchising thousands of low income voters. In addition, Georgia is requiring proof of citizenship in order to register to vote, and in some cases is rejecting state identification as proof of citizenship.
- Maine ended same-day voting and registration, which made it much easier for people who became homeless just before an election to vote.
- Ohio increased the size of precincts, which could increase the lines on Election Day, a huge problem in the 2004 Presidential election in Ohio. Poll workers will not be required to tell voters that they are at the wrong precinct. The Ohio legislature increased the number of technical reasons for not counting provisional ballots, which homeless people are often forced to use because of their residency problems. They have reduced the number of early voting days including eliminating Sunday voting and outlawed Counties from reaching out to voters that have mailed early voting forms.

We are concerned that these are voter suppression activities and are solving a problem that does not actually exist in the United States. We worry about the disparity these laws create between the states as we prepare for the 2012 Presidential election. Moreover, these voting changes make it difficult for homeless people who are forced to move frequently to participate in the selection of elected officials who may in the future take the lead in solving the housing crisis in America. Many states are restricting the amount of assistance that poll workers can provide, and are not accommodating the millions who find themselves without a home every night in America.

State legislatures are also reducing early voting opportunities and limiting access to vote by mail campaigns causing further difficulties for homeless people. All of the aforementioned measures are cause for the Department of Justice to investigate all voting reform legislation passed or being considered in the last two years.

We believe that these voting changes in many states may violate Section 2 of the Voting Rights Act. We also believe that the changes some states have made to the counting of provisional ballots are a violation of the Help America Vote Act of 2001. We believe that the Department should fully scrutinize such legislation for the potential to disenfranchise thousands of homeless people. We believe that these recently passed laws discourage voting and suppress the votes of minorities, students, the elderly, naturalized citizens, and very low income individuals.

We appreciate your consideration of this urgent request and the work that you have already done to protect the civil rights of all Americans.

Sincerely,



Neil Donovan
Executive Director