

Pennsylvania Democrats defend voter ID law as trial begins

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Pennsylvania Attorney General Kathleen Kane, a Democrat, is defending the state's stringent voter-identification law in a trial that got underway in Pennsylvania Commonwealth Court this week.

Kane, who was elected this past November and campaigned against the law, said in a statement that she now plans on defending the bill. "The Pennsylvania voter ID law is, on its face, constitutional," declared Kane who is working alongside the counsel for Republican Governor Tom Corbett.

The bill was passed by the Republican-controlled state legislature and signed into law by Corbett in March 2012 as a means of delivering Pennsylvania to Republican presidential candidate Mitt Romney.

After initially being ruled constitutional, however, an injunction was issued in October barring election officials from blocking anyone from voting who did not have the proper ID. The injunction left the law intact, but merely stated that the state had to give people more time to obtain the IDs before keeping people from voting. The Philadelphia law firm of Drinker, Biddle and Reath has been hired by the state to defend the law.

As attorney general, Kane is by no means duty bound to defend the law. Last week she made headlines when she announced that her office would not defend the state's discriminatory law that bars people from entering into same-sex marriages. Kane is considered the leading Democratic challenger to Corbett in the next gubernatorial election.

The trial to decide the constitutionality of Pennsylvania's voter-identification law got underway Monday with testimony and arguments, and is expected to last for two weeks. If ruled constitutional this anti-democratic law, the strictest in the country, will block tens and possibly hundreds of thousands of eligible voters from being allowed to vote. The trial is being

watched closely throughout the US as many states have implemented similar laws.

The law requires voters to present a government-issued photo ID that shows an expiration date, such as a driver's license or US passport. Birth certificates, county voter registration cards, and employee IDs would not be valid. Military IDs and most university photo IDs also would not be considered valid since they do not have an expiration date.

The Pennsylvania League of Women Voters, the National Association for the Advancement of Colored People and Philadelphia's Homeless Advocacy Project, as well as several individual voters, are claiming that the law will block a disproportionately high number of African Americans, Latinos, senior citizens, poor and other minority groups who don't have the needed ID or the means to obtain them.

The state is arguing that everyone who wants an ID is able to obtain one free of charge and that the law is necessary to prevent voter fraud, but this is not the case. There are over 9,200 polling places in Pennsylvania, but just 71 offices that issue driver's licenses or the voter-only ID. In nine counties there are no state offices that issue the IDs and 11 others where the offices are only opened one day a week.

While the state is insisting that voters obtain photo IDs to ensure only those qualified are allowed to vote, in the past five years there have been few allegations and no prosecutions for voter fraud.

On the first day of the trial two elderly women, both with health issues, who have been longtime voters gave video testimony that they would not be able to obtain the needed ID. Mina Kanter-Pripstein, 92, who cast her first vote for Franklin D. Roosevelt, explained that she now votes downstairs in a polling station in her senior-citizen apartment building, but wouldn't be able to

climb the stairs to board a bus or stand in the long lines at a Pennsylvania Department of Transportation office to obtain a state-issued ID.

“If I had to go to PennDOT, I just wouldn’t vote,” she said.

Marian Baker, 71, who is disabled with a leg injury, lives in Reading, Pennsylvania. She testified that she would not be able to endure the five-hour round trip bus trip to the PennDOT office in Berks County where she would have to go to obtain the ID. In contrast, family members are able to help her travel the three blocks to her polling station.

In addition, voters who can get to a center are required to present a birth certificate along with other ID before getting the voting card. The needed ID is so difficult to obtain that officials of the state Department of Aging and the Department of State sent a memo to Governor Corbett urging him to expand the list of acceptable IDs.

Gloria Cuttino, 61, one of the plaintiffs in the suit, testified that she is not able to get the ID “because I don’t have a birth certificate, which was never issued to me when I was born” in South Carolina.

There are 8.2 million registered voters in Pennsylvania. A comparison of voter registration rolls with the database for driver’s licenses shows that 759,000, or 9.1 percent of those registered to vote, lack a driver’s licenses. There is no estimate of how many voters with a driver’s license may still not be able to vote because they have moved or their license has expired or been lost.

Since the new law was passed, fewer than 20,000 people have been granted the new ID and that pace has slowed to just 100 per month since last November’s election.

In what wasn’t considered a close election, President Obama defeated Mitt Romney in Pennsylvania by less than 300,000 votes, fewer than half of the number of people who could be denied the right to vote if the law takes effect.

The current trial will decide if the law itself is constitutional or if the state may be required to make getting the new IDs easier. Whatever the outcome, both sides have said they will appeal the decision to the Pennsylvania Supreme Court.

The trial is being watched closely throughout the country. According to the National Conference of State

Legislatures, there are 11 other states that require photo IDs for voting and 6 others in addition to Pennsylvania where the issue is pending. Another 19 states require other forms of ID, such as voter registration cards, utility or tax bills. However, no other state law is as restrictive as Pennsylvania’s as to the type of acceptable IDs.

Since last month’s decision by the US Supreme Court to undermine the Voting Rights Act, five more states have implemented measures to require additional IDs for voting.

While most of the voter ID measures have been pushed by Republican lawmakers to limit access to the polls, the actions of Pennsylvania Attorney General Kane show that Democrats also support these measures. They too enjoy the benefits of the two-party monopoly on political power and have worked diligently to restrict voter registration drives and deny third parties access to the ballot.



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