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Vote plan: No ID, no ballot

Options to provide provisional ballots are unveiled

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Voters who can't produce valid identification will not be allowed to cast a ballot at the polls in upcoming state and local elections.

That is the thrust of a much-delayed plan to carry out Proposition 200's voter-identification requirement that Secretary of State Jan Brewer unveiled Friday. The new rules won't apply to a host of local municipal elections in September but could gain U.S. Justice Department approval in time for school bond elections in November.

"Voters who provide no identification will not be provided a ballot and will be instructed to return with proper ID," Brewer warned at a news conference surrounded by other high-ranking Republican legislative leaders.

Voters will have to produce one form of government-issued photo ID, like a driver's license, or two forms of non-photo ID, like a utility bill or bank statement, to vote.

But those whose addresses don't match their IDs would be allowed to cast a provisional ballot to be verified later. That is a significant change from previous drafts of the plan made after local election officials raised worries about possibly disenfranchising registered voters earlier this summer.

Voters, especially members of American Indian tribes, will be given a variety of ways to prove who they are, including property-tax statements and cellphone bills, tribal enrollment and Indian census cards, or bank and credit-union statements. But there remains a possibility that registered voters could be turned away from the polls.

Attorney General Terry Goddard and Gov. Janet Napolitano, both Democrats, must still sign off on the plan before it can be sent to the Justice Department.

However Republican legislators and political activists threatened to sue if there is any further delay. Voters approved Proposition 200 nine months ago, but the voter-identification provision has not taken effect because of high-level squabbling over the details.

Goddard said he will not be politically intimidated into approving new rules that might violate the Voting Rights Act.

However, he predicted there will not be major roadblocks between a concept for the plan that he shook hands on with Brewer in late June and the plan released Friday. The problem is that Goddard had not seen the latest version of the plan.

Brewer would not share details before Friday despite numerous requests that Goddard put in writing.

"My fundamental obligation is to make sure that what we send along is legal and constitutional," Goddard said. "If I decide that it's not, then so be it."

Goddard said he will make it his highest priority to look over the plan and make a decision quickly. He feels it's important to test the new rules in smaller local elections before the 2006 statewide elections. Napolitano has said she will defer to Goddard's judgment and will approve whatever he does.

One of Goddard's biggest concerns has been the provision that would have disallowed a provisional ballot for someone whose driver's license address did not match the address on voter rolls, a problem that appears to be rectified.

The new plan also relaxes the proposed standards for American Indian voters, a group particularly vulnerable to identification requirements because many who live on remote reservations don't have driver's licenses or utilities.

If Indian voters don't have the proper identification but can produce any sort of tribal identification with their name, they can cast a provisional ballot.

Latino lawmakers and activists said the new plan is an improvement over previous versions but predict that it will still disenfranchise primarily poor and minority voters who may not carry identification and are unaware of the changes.

"I still think a lot of people in '06, U.S. citizens who are registered, are going to be sent home because they're used to voting in a certain way," said Rep. Steve Gallardo, D-Phoenix, a former election official who is working with the Mexican American Legal Defense and Education Fund. "A lot of people are going to be disenfranchised if provisional balloting is not going to be available."

But Rep. Russell Pearce, who helped craft Proposition 200, said the will of the voters is clear: Voters who don't present identification at the polls don't vote.

Pearce, R-Mesa, also trumpeted Proposition 200's mission of combating voter fraud, a problem many critics of the measure argued doesn't exist. Pearce noted that Maricopa County Attorney Andrew Thomas is pursuing charges against 10 people, and possibly dozens more, for being illegally registered to vote and, in some cases, casting ballots.

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