



March 11, 2008

Chairwoman Dianne Feinstein
Committee on Rules and Administration
United States Senate
Washington, DC 20510

Ranking Member Robert Bennett
Committee on Rules and Administration
United States Senate
Washington, DC 20510

Re: Senate Committee on Rules and Administration Hearing: “Is the Myth of In-Person Voter Fraud Leading to Voter Disenfranchisement”

Dear Chairwoman Feinstein and Ranking Member Bennett:

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claims that in-person voter fraud is a threat to the integrity of elections.² In fact, in-person impersonation fraud at the polls is more rare than getting struck by lightning.³ In part, this is because in-person fraud by individual voters is an ineffective and foolhardy way to influence an election. Each act of voter fraud in connection with a federal election carries with it severe criminal penalties, and in return, yields at most one additional vote.⁴

At bottom, proponents of photo ID requirements are preying on unfounded fears and political partisanship to create a problem of voter fraud where no problem exists. Where restrictions impinge upon a fundamental right, it is critical that policymakers separate fact from fiction before instituting policies that disfranchise legitimate voters. For example, in Indiana, where the ACLU is currently challenging before the Supreme Court one of the most restrictive voter photo ID requirements in the country, there was no evidence of in-person impersonation fraud,⁵ nor was any evidence of otherwise undetected frau

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creating opportunities for discrimination at the polls against racial, ethnic, and language minority voters. Deciding whether a voter matches the photo in an ID card is a subjective process – one that is easily prone to mistake or much worse. In addition, if an ID does not contain the voter’s current address or name, which is true of countless Americans who move or marry, he or she will likely be turned away from the polls. The government should not be recreating opportunities for unnecessary mistake or bias to slip back into our election system.

Proposals that seek to require voters to show photo ID in order to vote are one of the greatest threats to fair and equal voting rights today. We applaud the Committee for scrutinizing the unfounded alleg3658(h)-0.956417(e)3.15789()-0S1b6.86125(r)236 1053658(a)3.15789(k)-