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MEDIA RELEASE

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Rep. Stone Plays Fast and Loose on Voter ID Cases Prior to Crucial House Hearing

MILWAUKEE -- Friday, the American Civil Liberties Union of Wisconsin refuted State Representative Jeff Stone's distortions of the ruling in an ACLU case in which a U.S. District Court blocked enforcement of the State of Georgia's new Photo ID requirement for voting.

"We can only hope that when the U.S. House Administration Committee holds its field hearing on voter fraud in Milwaukee on Monday, that these distortions will not go unchallenged," said Chris Ahmuty, the ACLU of Wisconsin's executive director.

Representative Stone in an October 21, 2005 release claimed that "laws in several states that require Photo ID to vote have held up to review by the courts." Stone's press release did not cite any such ruling.

"If one looks at voter ID laws, one must conclude that Wisconsin Assembly Bill 63, which Governor Jim Doyle vetoed, was one of the nation's most draconic voter ID laws," Ahmuty continued.

Ahmuty discussed actual cases to support his position. For instance, he pointed to the following section of the federal order in Georgia (Common Cause/LWV of Georgia et al. v. Billups, et al.):

The Court acknowledges that its conclusion differs from the decisions reached in League of Women Voters v. Blackwell, 340 F. Supp. 2d 823 (N.D. Ohio 2004), Bay County Democratic Party v. Land, 347 F. Supp. 2d 404 (E.D. Mich. 2004), and Colorado Common Cause v. Davidson, No. 04CV7709, 2004 WL 2360485 (D. Colo. October 18, 2004). All of those cases, however, involved identification requirements that allowed voters to show means of identification other than the Photo IDs. Georgia's Photo ID requirement, however, applies to in-person voting and goes one step further than the laws challenged in Blackwell, Bay County Democratic Party, and Colorado Common Cause.

Ahmuty went on to point out that if one investigates the details of other state laws that appear to require Photo IDs, they ultimately say that a voter affidavit to prove identity in lieu of identification is sufficient. See the National Council of State Legislatures at

<http://www.ncsl.org/programs/legman/elect/taskfc/voteridreq.htm>

This is alternative to a Photo ID is not the allowed in the unconstitutional Georgia law, nor in the Wisconsin proposal.

The Wisconsin proposal allows provisional voting, but the voter must produce one of the same limited number of Photo IDs by the next day to have their vote counted. Like Georgia and Indiana (whose law is currently being challenged), the Wisconsin proposal is absolute for voters at the polls.

Ahmuty reiterated that, “The ACLU’s position that voting is a right, not a privilege, and that neither the Wisconsin Legislature nor the U.S. Congress should disenfranchise the elderly, students and people of color by adopting onerous and unnecessary Photo ID requirements.”

The ACLU has more than 8,500 members in Wisconsin. Its mission is to defend the civil liberties and civil rights of all Wisconsin residents.

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