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Voter ID Battle Shifts to Proof of Citizenship

By IAN URBINA Published: May 12, 2008

The battle over voting rights will expand this week as lawmakers in Missouri are expected to support a proposed constitutional amendment to enable election officials to require proof of citizenship from anyone registering to vote.

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Dilip Vishwanat for The New York Times Lillie Lewis, 78, with a letter from Mississippi saying it had no record of her birth. "That's downright wrong," she said.

The measure would allow far more rigorous demands than the voter ID requirement recently upheld by the Supreme Court, in which voters had to prove their identity with a government-issued card.

Sponsors of the amendment — which requires the approval of voters to go into effect, possibly in an August referendum — say it is part of an effort to prevent illegal immigrants from affecting the political process. Critics say the measure could lead to the disenfranchisement of tens of thousands of legal residents who would find it difficult to prove their citizenship.

Voting experts say the Missouri amendment represents the next logical step for those who have supported stronger voter ID requirements and the next battleground in how elections are conducted. Similar measures requiring proof of citizenship are being considered in at least 19 state legislatures. Bills in Florida, Kansas, Oklahoma and South Carolina have strong support. But only in Missouri does the requirement have a chance of taking effect before the presidential election.

In Arizona, the only state that requires proof of citizenship to register to vote, more than 38,000 voter registration

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applications have been thrown out since the state adopted its measure in 2004. That number was included in election data obtained through a lawsuit filed by voting rights advocates and provided to The New York Times. More than 70 percent of those registrations came from people who stated under oath that they were born in the United States, the data showed.

Already, 25 states, including Missouri, require some form of identification at the polls. Seven of those states require or can request photo ID. More states may soon decide to require photo ID now that the Supreme Court has upheld the practice. Democrats have already criticized these requirements as implicitly intended to keep lower-income voters from the polls, and are likely to fight even more fiercely now that the requirements are expanding to include [immigration](#) status.

“Three forces are converging on the issue: security, immigration and election verification,” said Dr. Robert A. Pastor, co-director of the Center for Democracy and Election Management at American University in Washington. This convergence, he said, partly explains why such measures are likely to become more popular and why they will make election administration, which is already a highly partisan issue, even more heated and litigious.

The Missouri secretary of state, Robin Carnahan, a Democrat who opposes the measure, estimated that it could disenfranchise up to 240,000 registered voters who would be unable to prove their citizenship.

In most of the states that require identification, voters can use utility bills, paychecks, driver’s licenses or student or military ID cards to prove their identity. In the Democratic primary election last week in [Indiana](#), several nuns were denied ballots because they lacked the required photo IDs.

Measures requiring proof of citizenship raise the bar higher because they offer fewer options for documentation. In most cases, aspiring voters would have to produce an original birth certificate, naturalization papers or a passport. Many residents of Arizona and Missouri already have citizenship information associated with their driver’s licenses, and within a few years all states will be required by the federal government to restrict licenses to legal residents.


Critics say that when this level of documentation is applied to voting, it becomes more difficult for the poor, disabled, elderly and minorities to participate in the political process.

“Everyone has been focusing on voter ID laws generally, but the most pernicious measures and the ones that really promise to prevent the most eligible voters from voting is what we see in Arizona and now in Missouri,” said Jon Greenbaum, a former voting rights official at the Department of Justice and now the director of the voting rights project at the Lawyers’ Committee for Civil Rights Under Law, a liberal advocacy group.

Aside from its immediacy, the action by Missouri is important because it has been a crucial swing state in recent presidential elections, with outcomes often decided by a

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Supporters of the measures cite growing concerns that illegal immigrants will try to vote. They say proof of citizenship measures are an important way to improve the accuracy of registration rolls and the overall voter confidence in the process.

State Representative Stanley Cox, a Republican from Sedalia and the sponsor of the amendment, said that the Missouri Constitution already required voters to be citizens and that his amendment was simply meant to better enforce that requirement.

“The requirements we have right now are totally inadequate,” Mr. Cox said. “You can present a utility bill, and that doesn’t prove anything. I could sit here with my nice photocopier and create a thousand utility bills with different names on them.”

From October 2002 to September 2005, the Justice Department indicted 40 voters for registration fraud or illegal voting, 21 of whom were noncitizens, according to department records.

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