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## **Testimony in Opposition to AJR 78**

Good Morning, Mr. Chair & Committee Members:

I'm Jamie Lynn Crofts, the Policy Director for Wisconsin Voices. Wisconsin Voices is a statewide nonpartisan nonprofit organization focused on protecting democracy, building community, and teaching advocacy. I'm here today to ask you to vote no on AJR 78.

It is already incredibly difficult to vote in Wisconsin. Wisconsin used to be a model of how to make the voting process easy. In 1996, we were ranked fourth in the country. Today, we are 47th.<sup>1</sup> For the strength of our democracy, shouldn't we be encouraging civic engagement and making it as easy as possible for qualified voters to access the polls?

Most of the people sitting in rooms like this one have a driver's license or passport. But that speaks more to who is in this room than anything else. Around 7% of U.S. Citizens don't have a photo ID.

The people who voter ID laws hurt are disproportionately low-income people, senior citizens, people with disabilities, racial and ethnic minorities, students, LGBTQ people, Native Americans, and people in rural communities who lack reliable transportation. Here in Wisconsin, more than 3-million voting-age U.S. citizens don't have a current driver's license, and more than 1 million don't have any non-expired government-issued photo identification.<sup>2</sup> This is more people than the entire statewide populations of Wyoming, Vermont, Alaska, North Dakota, or South Dakota.

The free voting IDs we offer are important, but in practice they are not accessible to everyone. The ability to get time off of work and physically get to a DMV is not

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<sup>1</sup> <https://pbswisconsin.org/news-item/as-voting-has-gotten-harder-in-wisconsin-organizers-have-found-ways-to-help/>

<sup>2</sup> Center for Democracy & Civic Engagement, [https://www.voteriders.org/wp-content/uploads/2023/04/CDCE\\_VoteRiders\\_ANES2020Report\\_Spring2023.pdf](https://www.voteriders.org/wp-content/uploads/2023/04/CDCE_VoteRiders_ANES2020Report_Spring2023.pdf).

something everyone can do — particularly people with disabilities, low-income people and people who lack access to transportation.

Voter ID laws are a “solution” in search of a problem. In-person voter fraud is incredibly rare.

From 2012 to 2022, Wisconsinites cast more than 31 million ballots in 48 elections.<sup>3</sup> In that time, prosecutors brought a total of 40 cases alleging fraud such as a person voting twice or voting in the name of someone who had passed away. That is 0.000129% of the total votes cast -- and did not affect the results of a single election.

These incredibly low rates of in-person fraud are in-line with numbers before our voter ID law went into effect. Notably, there is no evidence that our strict photo ID requirement has affected these already-low numbers.

On the other hand, our voter ID law has already been shown to prevent voters from accessing the polls and depress voter turnout.

Studies have shown that even people with proper identification can be deterred from voting by strict voter ID laws such as ours. The complexities of which IDs are acceptable for voting can be confusing, and fears about not complying with the law keep voters from the polls entirely.<sup>4</sup>

This is especially true for people from our state’s BIPOC communities. In a state that already incarcerates 1 out of every 36 of its Black residents, and a law that targets Black people, it is more than understandable that some eligible voters choose not to vote at all, rather than risk it.

This is not only an issue in urban communities. Statewide, Wisconsin’s record-breaking turnout in 2020 was around 73%; in Menominee County, it was 55%. Not coincidentally, 4 out of every 5 people in Menominee County identify as Native American.

A recent study published in the Election Law Journal surveyed eligible Wisconsin voters. The study concluded that an estimated that 11.5% of nonvoters in some

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<sup>3</sup> Court Data Technologies & Wisconsin Watch, <https://pbswisconsin.org/news-item/election-integrity-proposals-do-not-address-most-common-voting-infraction-in-wisconsin/>

<sup>4</sup> “Voter Identification and Nonvoting in Wisconsin—Evidence from the 2016 Election,” Election Law Journal. <https://elections.wisc.edu/wp-content/uploads/sites/483/2021/02/Voter-ID-and-Nonvoting-in-Wisconsin.pdf>

Wisconsin counties were either prevented or deterred from voting in 2016 specifically because of our voter ID laws. About 8 in 10 eligible voters who said the voter ID law prevented them from voting *had* voted in the previous presidential election.

Unsurprisingly, the study also found that the law disproportionately affected low-income and Black voters:

- 21% of voters earning less than \$25,000 a year were estimated to have been deterred from voting, compared with 2.7 percent of registrants making \$100,000 a year or more.
- More than 27% of Black voters reported being deterred from voting because of our voter ID laws, compared to about 8% of white voters.

Of the people who said that the voter ID law deterred or prevented them from voting, about eight in 10 *had* voted in the previous presidential election.

Even when people have the mandated identification and go to the polls on Election Day, they are sometimes turned away. Tribal IDs and student IDs are both permissible forms of photo ID, but in practice many poll workers, who have an incredibly difficult job, are not properly trained on this fact. Recent reports from the Native American Rights Foundation and League of Women Voters of Wisconsin have documented the problems our voter ID laws can pose to members of our tribal nations.

These problems are not specific to Wisconsin; other studies have made similar findings in other states with strict photo ID requirements.

Discussion of other places people must show photo ID, such as grocery stores and hotels, ignore the fact that voting is not just a fact of life; it is our most fundamental right.

Wisconsin already uses voter ID laws to stop our citizens from voting. The last thing we need to do is to write this practice into our constitution.

Please, vote no on AJR 78.

Thank you.