

March 28, 2011

Dear Senator:

The New Hampshire League of Women Voters urges you to oppose SB129, AN ACT relative to presenting photo identification to vote in person and relative to the election fund. This bill replaces the original SB129 which the League also opposed.

The new version of SB129 does nothing to correct the flaws of the original version and, in fact, proposes a radical departure from centuries of election practices and tradition in New Hampshire. Voting in New England has always been a community activity. The very act of a voter announcing his or her name to the ballot clerk is part of a long tradition of people declaring themselves to be a part of the community and a participant in the most important act of a citizen -- voting. Not incidentally, the announcement is also important to allow anyone to challenge a person's right to vote. By removing the requirement for a citizen to state his or her name, this bill also removes the right to challenge a voter.

This bill is purportedly an attempt to combat voter fraud by people who wish to impersonate other people in order to vote. There is no other form of voter fraud that could be prevented by this bill. There is no evidence that New Hampshire has a problem with voter impersonation, or indeed, any other kind of voter fraud.

This version of SB129 keeps the requirements for already registered citizens to present another form of identification - one that is not required to register to vote - in order to get a ballot on Election Day. The criteria for acceptable photo IDs excludes student IDs used in New Hampshire and NH state employee IDs because of the requirement for an expiration date. This is known to the sponsors of the bill who have refused to change the criteria. In addition, the photo ID criteria are so narrowly written that they represent a real obstacle to the elderly, disabled, poor and many women who are currently registered to vote but are among the tens of thousands of people in this state who do not possess a photo ID.

This version of SB129 provides for anyone who does not have one of the narrowly defined photo IDs required by SB129 to have a digital photo taken at the polls on Election Day that will be kept on file. This makes no sense if the sponsor's goal is to prevent voter fraud. How does having an election volunteer take a picture of a citizen make that identity any more valid than having the citizen stand before a ballot clerk and announce to the public his or her name and the intention to vote?

In reality, the elderly and disabled, citizens who may have been voting for decades, will now have to stand in one line to vote only to be told they have to stand in another line to have a picture taken and then get back into line again to vote. People who can't afford the documentation to get non-driver IDs, will now be singled out publicly. Students who may have lived here in New Hampshire for four or five years will not be able to use their state-issued college IDs. All of these people can be registered and qualified to vote and then told, on Election Day, that they cannot vote or have to clear additional hurdles in order to vote.

The League of Women Voters believes the only result of this bill will be to intimidate or harass people so much that they will not feel able to exercise their Constitutional right to vote. SB129 almost seems designed to target certain groups of people and make voting so unpleasant for them that they will not exercise their Constitutional right to vote.

The League of Women Voters also notes that there has been no real research done to see if HAVA funds can be used for the purposes described above.

The League of Women Voters urges Senators to oppose this bill by voting inexpedient to legislate.

Sincerely,

Liz Tentarelli, co-president

Sally Davis, co-president

Joan Flood Ashwell, election law specialist 603-868-3775

League of Women Voters of New Hampshire