

Put it to a Vote

By Reg P. Wydeven
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Growing up in the 1980s, one of my all time favorite movies is 'The Breakfast Club.' The film focuses on five high school students who are stuck in the library on detention for a whole Saturday. They identify and stereotype each other as the Jock, the Brain, the Criminal, the Princess and the Kook.

In one of many hilarious scenes, the students are examining the contents of the Brain's wallet when they find his fake ID, which reflects he is 68-years-old. When asked why he would even need a fake ID, the Brain replies, "So I can vote." He answers as though it's the most obvious response in the world and that every teenager longs for a fake ID to vote.

He's dubbed "The Brain" because of his sharp mind and keen insight, as evidenced by his profound respect for, and desire to participate in, the voting process. As Americans, we cherish our right to vote. Our soldiers have fought and died to earn and then protect that right.

Political candidates who receive our votes are tasked with the privilege of propounding our causes. However, because so much can be at stake in elections, temptation for fraud exists. After every election, horror stories of deceased, repeat and even fictitious voters emerge.

To combat this, Wisconsin is requiring its residents to present a photo ID to vote beginning with the spring primary elections on February 21, 2012. The ID can be a driver's license, state-issued ID card, military ID, passport, tribal ID, college ID or naturalization certificate. However, to ensure the new law will not be considered a poll tax, the state Division of Motor Vehicles is required to waive its normal \$28 fee for issuing state IDs for people seeking them to vote.

While well-intentioned, the new voter ID law may unintentionally burden those folks who have a harder time getting to the polls. As a result, the American Civil Liberties Union filed a lawsuit against the State of Wisconsin over the law, claiming it is unconstitutional and will deprive citizens of their basic right to vote.

The federal complaint seeks an injunction against enforcement of the voter ID law. Opponents of the law claim long-time voters, such as veterans, minorities, seniors and the homeless may be effectively precluded from voting. The ACLU also points out that while ID cards may be free, to get one, voters must present the DMV with a birth certificate, passport or other documentation. Obtaining this supporting documentation, however, is not free, as it costs \$20 to get a birth certificate in Wisconsin.

The law does provide that voters in care facilities or those that are "indefinitely confined" may not have to brandish a photo ID. The new law vaguely defines "indefinitely confined" voters as persons who, because of age, physical illness, infirmity or disability, may have difficulty traveling to the polling place. As an elder law attorney, every day I see clients that have an extremely difficult time getting around, however, they may have a hard time getting classified as "indefinitely confined."

Supporters of the measure point to the thirty other states that now require voters to show some form of ID before voting, half of which require the ID to have a photo of the voter. They also assert that the law will decrease voter fraud.

The ACLU isn't the first outfit to sue the state over the voter ID law. In October, the League of Women Voters filed suit against Wisconsin in the Dane County Circuit Court.

I'm confident that we'll be able to find a compromise that makes it easier for people who have a hard time getting around to exercise their constitutional right to vote while still protecting the integrity of the election.

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