

## **Voter ID law rejected**

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A state judge threw out Missouri's voter ID law on Thursday, saying it imposes too great a burden on the elderly and the poor.

Cole County Circuit Judge Richard Callahan ruled in favor of a group of disabled, female and elderly voters who lack the required government-issued photo IDs.

He agreed with their claim that requiring drivers licenses and nondriver IDs constitutes "an impermissible additional qualification to vote" in violation of the state constitution. Gov. Matt Blunt, a Republican, championed the law when the Legislature passed it in May. In a statement, Blunt said he was disappointed with the ruling and wants the state to appeal.

"This is a constitutionally sound law that will help improve Missourians' confidence in the elections process and help combat those who attempt to manipulate the system," Blunt said.

The law, which took effect late last month, requires that voters show an unexpired Missouri drivers license, nondrivers ID, U.S. passport or military ID.

Supporters said that the law would deter fraud and restore public confidence in the election system. Opponents said that the law disenfranchises thousands of voters, particularly, the low-income, disabled and elderly.

While the state is offering nondriver licenses for free, applicants must present certified copies of their birth certificates, which cost at least \$15. Anyone whose name has changed must provide additional documentation, such as a certified marriage license, divorce decree or court order.

Callahan said those requirements would have a "disparate effect" on women - especially poor women.

"The photo ID burden on the voter may seem minor or inconsequential to the mainstream of our society for whom automobiles, driver licenses and even passports are a natural part of everyday life," the judge wrote.

"However, for the elderly, the poor, the undereducated or otherwise disadvantaged, the burden can be great if not insurmountable."

A spokesman for Attorney General Jay Nixon, a Democrat, said his office was reviewing

the judge's decision. A speedy appeal to the Missouri Supreme Court is considered likely, so that the issue can be resolved before the Nov. 7 election.

Attorney Don Downing of St. Louis, who filed the suit, said he was pleased with the decision. The Missouri Democratic Party hired Downing to challenge the law.

Callahan's ruling noted that getting a drivers license or nondriver ID became more difficult last year because of a separate law. It requires applicants to present three kinds of proof to show lawful presence, identity and residence.

Attorney Thor Hearne of St. Louis represented the photo ID law's sponsor, Sen. Delbert Scott, R-Lowry City. Hearne said he was glad that the judge found there was no "purposeful discrimination."

As for the cost of the IDs, Hearne said: "That's certainly something the Legislature can fix."

Under the law, people who lack proper IDs would be able to cast provisional ballots in the Nov. 7 election. Provisional ballots are counted if their signatures match those on file.

Three Democratic officials involved in the suit said the ID law would increase local election costs because more provisional ballots would be cast.

They said the extra cost would violate the Hancock Amendment, which bars the state from imposing new duties on local government without providing full financing.

Callahan agreed, but only for the three areas that sued - St. Louis, St. Louis County and Jackson County. He said if the photo ID law was in effect, those three areas would be exempt from provisional balloting.

Downing found that troubling.

"If you start getting into a situation where people's right to vote depends on what county they live in, it's going to be a real knotty equal protection issue," he said.

Mayor Francis Slay called the ruling "very good news. In this era of low turnouts and disenfranchised voters, we should be working to make it easier, not harder, to cast a ballot."

Secretary of State Robin Carnahan, the state's chief elections official, said she, too, was pleased that the judge blocked the law. Carnahan, a Democrat, said it "clearly jeopardizes the constitutional voting rights of many Missourians."

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