

# EFFECT OF BMV CLOSURES AND PHOTO ID LAWS IN ALABAMA

## ABSTRACT

2014 saw Alabama adopt a strict photo ID law. 2015 saw closes of BMV offices where one can get these identifications, many of which were in counties with large shares of blacks.

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## **I. Introduction**

Many today argue that the one of the biggest cleavages in American politics today is race. In the 2012 election, where President Obama was reelected by slightly less than 4%, he carried the African American vote with 93%, Asians with 75%, and Hispanics with 71%. However, he lost the white vote to Mitt Romney by 20%<sup>1</sup>. This gap is much more pronounced in the South, where Romney got in excess of 85% of the white vote, with the black vote being in the mid 90% range for Democrats. (CNN Exit Polls)

What these numbers translate to be that demography is destiny in many statewide elections in the United States. The greater the share of minorities in the electorate, the better the result will be for Democrats. Conversely, the lower the share of minorities, the better things will be for the Republican Party, which is over 90% white in nearly every state in the country. If we see such racially polarized voting, it means that the ways to change the election outcomes would be if one party can reduce their losses in a racial group, or to change the demographic makeup of the electorate.

It has been a nationwide strategy of the Republican Party for the last few years to employ the latter strategy according to many political observers.<sup>2</sup> Census data is telling us that the country is getting more minority, but their party is remaining very white. Republican dominated states have pushed through measures that disproportionately affect minority turnout. Among these have been reducing early voting times including Sundays which are popular with African-

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<sup>1</sup> When I refer to “white” voters, I mean non-Hispanic white voters, often referred to as “White” voters (especially in Texas).

<sup>2</sup> In several states, Republicans have admitted they had a partisan motivation for photo identification laws. Two Republican officials in Pennsylvania, including the State Republican Party Chairman and the State House Majority Leader. One county official in North Carolina admitted to a racial factor on *The Daily Show*, saying that if it prevented a few “lazy blacks” from voting, who cared. Then State Sen. Glenn Grothman (R-Wisconsin) admitted and was excited about effects on Democrats. Former Senator and current President of the Heritage Foundation Jim DeMint (R-South Carolina) also admitted partisan motivations.

Americans (‘souls to the polls’), ending same-day voter registration and “golden weeks” (which are early voting times where a person can register and vote at the same time), closing early voting sites in minority neighborhoods, making voter registration drives harder or next to impossible, and of course, strict photo ID requirements to vote. Previous studies have shown that African-Americans and Latinos are much less likely to have the necessary photo ID that they would need to vote than that of their Anglo counterparts. The goal seems to be to make the act of voting more costly, which literature tells us should decrease turnout.

When *Shelby County v. Holder* struck down a key part of the Voting Rights Act that required mostly Southern states to preclear any changes to voting and electoral procedures, many of these states who had their strict photo ID laws blocked by the Justice Department quickly implemented them. Among the states to do so was Alabama (the location of Shelby County), who was able to hold its first election with their strict photo ID requirement in the 2014 midterm elections. The next statewide election held was the 2016 Presidential Primary.

However, in 2015, due to what Gov. Robert Bentley (R-Alabama)<sup>3</sup> said was a fiscal problem, the Bureau of Motor Vehicles announced the closure and reduction of hours at many BMV sites, which are the primary place to get a photo ID. It turned out that many of the closures were in counties with large African-American populations. What this paper will set out to do is to explore whether those counties who saw a DMV closure saw a discriminatory effect and intent on the part of Republican officials within the state of Alabama.

Previous literature as far as the effects of voter identification laws on turnout have been mixed. Work by Milyo has indicated voter identification laws increased turnout in a study in Indiana. Other work by Erikson and Minnite; Mycoff, Wagner, and Wilson; and Milhousen and

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<sup>3</sup> Given the scandals involving Gov. Bentley at this point, he might not be Governor by the time I submit this paper.

Sikich have found rather statistically insignificant results. Dropp seems to see more significance. Hood and Bullock and Alvarez, et. al. have found racial elements. However, one common theme in several of the surveys is that many of these voter identification laws is that most of these laws have not been in place for a long period of time, and that more data will be needed in the future to examine their effects. In this paper, I find discriminatory effect against African-American residents, but in particular rural African-Americans.

## **II. Voting Rights Act History**

In response to decades for violations of the rights of African Americans to vote in the American South, Congress passed the Voting Rights Act in 1965. Among the most relevant provisions of this act were Section 2 which stated as follows: “No voting qualification or prerequisite to voting, or standard, practice, or procedure shall be imposed or applied by any State or political subdivision to deny or abridge the right of any citizen of the United States to vote on account of race or color.” 42 U.S.C. § 1973. After the Supreme Court ruled in *City of Mobile v. Bolden*, 446 U.S. 55 (1980), that one had to prove discriminatory intent to show a violation, Congress amended the act in 1982 to change this standard to discriminatory impact, which is a much easier standard to prove. The new Section 2(b) reads in relevant part: “A violation of subsection (a) is established if, based on the totality of circumstances, it is shown that the political processes leading to nomination or election in the State or political subdivision are not equally open to participation by members of a class of citizens protected by subsection (a) in that its members have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice” P.L. 97-205. This acted to shift from a purpose based test to a results based test to vote discrimination.

The other important provisions of the Voting Rights Act were Sections 4(b) and 5. Section 5 requires that certain jurisdictions listed in Section 4(b) were subject to preclearance for any changes to voting or elections within those areas. This includes everything from redistricting to moving a precinct location. They could obtain preclearance from either the U.S. Justice Department or from a three judge panel in the U.S. District Court for the District of Columbia. The states of Alabama, Alaska, Arizona, Georgia, Louisiana, Mississippi, South Carolina, Texas, and Virginia were subject to statewide coverage. Some selected places in California, Florida, Michigan, New Hampshire, New York, and North Carolina were subject to either county or township preclearance. Over the years, some jurisdictions were also “bailed in” to coverage through Section 3(c) for a limited period of time, while some areas have successfully “bailed out” of coverage through Section 4(a).

The 1982 reauthorization for the Voting Rights Act extended it an additional twenty-five years. Congress took up the act again in 2006. After extensive hearings, and the compiling of thousands of pages of testimony in the Congressional record, they made a few changes in response to Court decisions since the last reauthorization, but they did not change the coverage formula. In fact, the coverage formula had not been changed since 1975. The reauthorization for an additional twenty-five years passed the Senate unanimously and the House 390-33. (House Roll Call Vote #374). President Bush signed the bill with a signing ceremony on the White House Lawn.

In the year prior to reauthorization, two new members of the Supreme Court took their commissions after being appointed by President Bush and confirmation by the Republican dominated Senate: Samuel Alito and John G. Roberts, the new Chief Justice. While Roberts did not shift the Court ideologically from his predecessor, Alito, who has been very conservative,

replaced the relatively centrist Sandra Day O'Connor. However, Roberts had a history of antipathy towards parts of the Voting Rights Act. While a lawyer in the Reagan Justice Department, he wrote a memo to the Attorney General opposing the change to the Voting Rights Act in 1982 for a looser standard for proving Section 2 claims. He wrote that the effect test would "provide a basis for the most intrusive interference imaginable by federal courts into state and local processes". (Greenhouse, 2013).

The first time Roberts had a say on the coverage formula was in *Northwest Austin Municipal Utility District No. 1 v. Holder*, 557 U.S. 193 (2009) where the one question was whether this particular district was able to be bailed out of coverage, but the other dealt with the constitutionality of Section 5. Roberts, writing for an 8-1 majority found it constitutional, but raised some serious concerns about "federalism costs" and whether the coverage formula was outdated. The Court seemed to suggest that Congress may want to go back and reconsider the covered jurisdictions to see if some no longer need to be covered. Congress did not take them up on this and the coverage formula was not changed.

In 2013, a closely divided Court struck down Section 4(b) (and with it Section 5 effectively) of the Voting Rights Act. Chief Justice Roberts, writing for the majority, noted that the Voting Rights Act had always contravened against states' rights, but had been justified by "blight of racial discrimination in voting" that had "infected the electoral process in parts of our country for nearly a century," *Shelby County*, 12-13, citing *Katzenbach*, 383 U. S., at 308. Roberts went on to show that gaps in voter registration between whites and blacks in the original coverage formula states had largely closed, and that the original intent of the Voting Rights Act was to go after jurisdictions with low voter registration and literacy tests and that these were no longer issues and that it needs to speak to current conditions rather than past ones. *Shelby*

*County*, 15, 18-21. An important part of the opinion was that Congress could always update the coverage formula, but they never did, largely thanks to Judiciary Committee Chairman Robert Goodlatte (R-Virginia), who refused to hold hearings. (Petska, 2015).

Justice Ginsburg took the unusual step of orally reading a summary her dissent from the bench. She seemed to mock Roberts' opinion as saying that the coverage formula had been too successful. She talked new ways covered areas have tried depress to minority participation. She stated, "The second generation barriers included racial gerrymandering, switching from district by district voting to at-large voting, discriminatory annexations, and methods more subtle than the visible methods used in 1965 but serving effectively to diminish a minority community's ability to exercise clout in the electoral process. (Transcript of Ginsburg Oral Dissent from *Oyez*). Congress retained Section 5 to put down the second generation barriers before they got off the ground." She listed several of these as specific examples. (Ginsburg, dissenting at 15-17). More plainly, Ginsburg argued that had it not been for preclearance, these covered jurisdictions would have slid back into their old ways of doing what they could to limit and suppress minority participation. She also noted that Congress had compiled a lengthy and significant record as to document years of the covered jurisdictions trying to implement these laws and being stopped by the Justice Department by preclearance, and even said that many of them were "shocking". (Ginsburg, dissenting at 13-15).

After the preclearance requirement was lifted, several covered jurisdictions, who had their photo identification laws on hold by the Justice Department raising objections under the Voting Rights Act, sought to immediately implement those laws. The longstanding law saying that these jurisdictions could not be trusted with changes to voting laws and changes were now allowed to make those changes without approval of the federal government. There have been

many other examples of covered jurisdictions seeking to implement restrictive or suppressive voting laws proving Ginsburg correct. The Justice Department and individuals still have the ability to sue under Section 2, but absent an injunction, these laws can be in effect for several elections before they are completely litigated.

It turned out that the states freed from this oversight that were either covered by statewide coverage or substantial county coverage were all subject to Republicans controlling the Governor's office and both chambers of the state legislature according to the National Conference of State Legislators. While the Justice Department could still sue these jurisdictions for violations the Voting Rights Act, they could not preemptively block what they see as discriminatory laws. Further, those lawsuits could take years, meaning that a discriminatory practice could remain in place in the absence of an injunction granted by a court.

### **III. Literature Review**

In *An Economic Theory of Democracy*, Downs sets to use a rational choice theory to describe why people may choose to vote or not to vote. He noted that voting tends to be costly compared to the benefits. It is highly unlikely that a person's vote will be decisive, and a person has to do things like register to vote, find out where their polling precinct is, get to the precinct, wait in line, and finally cast a vote. Since elections are not a holiday, a person may have to take time off of work and lose income as well. When one looks at voting this way, it makes little sense to vote. The simple way of breaking this down may be that the easier it is to vote (lowest cost), the higher voter turnout one can expect, and the harder that it is to vote (higher costs), the lower the voter turnout one can expect. However, a high profile competitive election (like a Presidential election) may balance out higher costs.



Riker and Ordeshook break the turnout calculus into an equation of  $V = P(B) - C + D$ .  $V$  is the probability that the voter will vote.  $P$  is the probability that a person's vote will make a difference.  $B$  is the benefit of the voter having his or her candidate win.  $C$  is the cost of voting, and  $D$  is the sense of duty (also support for democracy). (1968: 25). So to determine if a person will vote, one can change the equation to  $V = P(B) + D > C$ . In looking at photo identification laws, the key is the cost. For the vast majority of persons in the United States that have a driver's license, the cost of having to present something that they carry around in their wallet or purse on a daily basis is minute. For others that do not possess a photo identification, the costs can be significant. Since these persons do not have driver's licenses, one could assume they also do not have cars as well. In order to get to a place that can issue a photo identification, it may require the use of public transportation (where available) or catching a ride with someone. (Hershey, 2009: 88). Since these are government agencies, they are generally only open weekdays during regular hours, meaning a person may have to take off work and lose wages. There is also the time and money that it might take to gather the necessary documents to get a photo identification such as a birth certificate, military records, social security cards, etc. For many of these persons, the cost of voting can become so high that they will not be able to vote.

The increased costs of voting by strict photo identification requirements are not shared across the board equally. An early state (but not the first) to implement a strict photo identification law was the State of Georgia, which is also a state that keeps voter registration records with racial identifiers. This allowed Hood and Bullock the ability to compare these records with those of the BMV to see who lacked the necessary identification. (2008: 559). Georgia is also a state with 159 counties, of which not all have BMV facilities. However, when

Georgia revised its law in 2006 after a federal judge found against it, the state claimed that persons could get the free identification in all counties. (2008: 562).

The sources of their data came from the Georgia Secretary of State and Georgia DMV. An initial report found that in 2006, 305,074 persons lacked proper identification. Hood and Bullock were able to match about 93% of the names and addresses in the report back to voter registration data. This meant that their sample consisted of 5.8% of Georgians without the necessary identification. (2008: 563-564). What they found was a statistically significant finding that blacks (0.07) and Hispanics (0.074) were far more likely to not have a driver's license than whites (.037). Further, they found little difference between urban (0.056) and rural (0.05) residents, but a significantly lower number for suburban dwellers (0.037). They also found that the likelihood to not have a driver's license increases with age. They did not find a relationship with per capita income. (2008: 567, Table 1).

Another study, by Barreto, et. al used exit poll data from the 2006 general election in California, New Mexico, and Washington State to see what types of voters possessed certain types of identification. They also found that black and Latinos were less likely to have driver's licenses than whites, but also they were less likely to have other types of identification (birth certificate, bank statement, passport, utility bill) as well. They also found a relationship with income and age, with those with higher incomes possessing identification at higher numbers, but those over 65 less likely than their younger counterparts. However, they could not determine whether there was a difference between Democrats and Republicans in terms of license possession. (2007: xxx).

As far as modern strict photo identification laws, Indiana was the first state to pass such a law (SEA 483). The 2004 elections saw Republicans win the governorship and break an eight

law grip on the State House of Representatives. Under the leadership of Gov. Mitch Daniels (R-Indiana), the General Assembly passed a strict photo identification law, citing the need to combat voter fraud. Republican supporters pointed to longtime voter irregularities in solidly Democratic Lake County, which borders Chicago, a place where there were allegations of dead persons putting John F. Kennedy over the top in his victory in 1960. Fraud ended up overturning the 2003 election for East Chicago Mayor. By a strict party line vote, the measure was passed and signed into law. The first election in which it was to be in place was the 2005 municipal elections.

Democrats, who strenuously objected, filed a lawsuit against the law. However, they lost at the District Court level<sup>4</sup>, and in a 2-1 ruling by the 7<sup>th</sup> Circuit. Their challenge was a facial one, not an as applied challenge, which meant that they challenged it immediately after passage, and therefore did not challenge it in the manner that it was applied. In other words, they speculated to its effects, not looking to observed effects for statewide elections. Another issue is the level of scrutiny attached to the law. The means that “the State must show that the regulation is necessary to serve a compelling state interest and that it is narrowly drawn to achieve that end.” *United States v. Grace*, 461 U.S. 171, 177, (1983). These two issues put the plaintiffs in the highest levels of proof in their cases. The District Court found that the plaintiffs were unable to show evidence of any individual being substantially burdened by the law, that any group would be substantially or disproportionately burdened by the law, or that it would be substantially difficult to obtain the necessary identification.

The dissenting Judge on the 7<sup>th</sup> Circuit was not buying what Indiana was selling. He stated bluntly, “Let’s not beat around the bush: The Indiana voter photo ID law is a not-too-

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<sup>4</sup> Reagan appointed Judge Sarah Evans Barker.

thinly-veiled attempt to discourage election-day turnout by certain folks believed to skew Democratic. (*Crawford v. Marion County Election Bd.*, 472 F.3d 949, 954 (7th Cir. 2007), (Evans, J., dissenting)). It should be noted that when the case of a similar strict photo identification law came before the Seventh Circuit from Wisconsin, Judge Posner<sup>5</sup>, the author of the *Crawford* opinion, appears to have become a critic of these laws. Among his critiques were, “Some of the “evidence” of voter impersonation fraud is downright goofy, if not paranoid.” He also noted the partisan undertones, “The data imply that a number of conservative states try to make it difficult for people who are outside the mainstream, whether because of poverty or race or problems with the English language, or who are unlikely to have a driver’s license or feel comfortable dealing with officialdom, to vote, and that liberal states try to make it easy for such people to vote because if they do vote they are likely to vote for Democratic candidates.” *Frank v. Walker*, 773 F.3d 783, 791 (7<sup>th</sup> Cir.), en banc denied (Posner, J. dissenting).

In a report submitted to the District Court, Indiana University Political Science Professor Marjorie Hershey submitted a report in opposition to the law. In it, she pointed to the classic equation of the costs of voting. She stated in her report, “the costs imposed by SEA 483, in terms of time, transportation, fees and obtaining all of the necessary information, threaten to be most difficult for the disabled, homeless, persons with limited income, those without cars, people of color, those who are part of “language minorities,” and the elderly.” Hershey Report at 17. This goes along with the classic literature in political science that as one increases the cost of voting, that turnout should decline. With Indiana already having one of the worst voter turnouts in the country, one has to take a turnout decline or increase with a grain of salt given competitiveness forces.

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<sup>5</sup> Posner is the most cited legal scholar in the history of the United States and was appointed by Reagan.

Supporters of strict photo identification laws cite the primary reason for these laws as to prevent voter fraud. One prominent and influential supporter is *National Review* columnist and former *Wall Street Journal* columnist and editorial board member John Fund. He seems to have taken the lead on this, beginning with his book *Stealing Elections: How Voter Fraud Threatens Our Democracy* in which he points to examples where he believes that photo identification laws would prevent voter fraud. In a recent article, he says that in person voter fraud is quite easy, citing a New York City investigative example in which he says that 63 persons showed up to vote under fraudulent identities, and he says that 61 were successful. They say that they could tell this because they had persons write in a specific name as a write in. Supporters also point to how undercover conservative trickster James O’Keefe was able to vote as well. However, supporters argue that it is hard to actually point out specific examples of in person voter fraud. Opponents of them say that the main examples of in person vote fraud seem to be those trying to prove it exists, whereby they actually commit this type of fraud themselves. The opinion in Crawford also pointed out the fact that voter rolls may not have been purged properly, leaving many ineligible voters on the rolls with the opportunity for someone to come in and vote in the place of a dead person. But the State of Indiana did concede that there were no prosecuted case of in person voter impersonation fraud. *Indiana Democratic Party v. Rokita*, 458 F. Supp. 2d 775 - Dist. Court, SD Indiana 2006, 795.

The District Court and Supreme Court were not convinced that having to obtain the necessary documents for a photo identification amounted to a violation of the 24<sup>th</sup> Amendment and *Harper v. Virginia Board of Elections*, which prevented poll taxes. A critical component of the District Court opinion was that voters that could not produce a photo identification had the option of voting absentee ballot. However, they failed to note that Indiana did not have no-fault

absentee balloting unless the voter is over the age of 65 or disabled. Others needed an excuse specified in law to cast an absentee ballot.

The *Crawford* opinion also hinged on another critical component- that the photo identification would be of no cost to those that did not have it already. Indiana law had provided that voters could obtain an identification card to vote at no cost. Further, at times nearing elections, Indiana Bureau of Motor Vehicles locations extended hours to obtain these identifications. Despite Gov. Daniels closing some locations (known in Indiana as “license branches”)<sup>6</sup> at the beginning of his term, all 92 counties in the state, down to tiny Ohio County with only a little more than 5,000 persons, had license branches open at least two days per week.

The critical part of the opinion of Justice Stevens was that these identifications must be provided for at no cost to the voter. However, some have pointed out that a birth certificate is needed as a necessary document to obtain a voter identification. Studies have pointed out that there are various costs to obtain one of these if there person does not already have one. A report by the GAO found that when the study was conducted, 17 states had a photo identification law in place. For purposes of obtaining a photo identification, only two provided a birth certificate for free. For those that did not, the cost ranged between \$7 and \$24. That does not count the cost of a person to the county record or Health Department of the place in which they were born to travel to that place. Other persons, especially older African Americans in northern states that moved north as part of the Great Migration may have been born in different states than where they currently live. They, along with others, may have been born at home and never obtained a birth certificate. This helps to increase the cost of these types of voters to be able to vote.

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<sup>6</sup> One of the reasons for every county in Indiana having a license branch goes back to party politics. Up to the 1980s, license branches were a source of patronage in that when the branches were run by the county chairman of the party who controlled the Governor’s Office.

The political motivations for strict voter identification laws cannot be ignored. If one had taken the exit poll numbers of racial groups by the percentage they voted in 2012, but imposed those numbers onto the racial composition of the 1988 electorate, Mitt Romney would be the current President of the United States. He won the same share of the white vote as Bush in 1988, but instead of a seven point victory, he suffered a four point defeat.<sup>7</sup> The change in the racial makeup of the electorate enabled a Democrat, buoyed by largely share of the minority vote and robust turnout among those groups to overcome an enormous loss of the white vote.<sup>8</sup>

Demographic and population changes have been occurring in the United States in different ways since the first Census. Since World War II, population as a share of the population has moved from the Northeast and Midwest to the South and West, resulting in U.S. House and Electoral College shifts. Racial shifts are occurring as well. In 1980, whites accounted for 79.6% of the population. By 2010, that number had dropped to 63.7%. The Hispanic share of the population rose from 6.4% to 16.3%, and Asians more than tripled their number from 1.5% to 4.9%. (Gibson and Jung, 2005) (Census Intercensal Report). The U.S. Census predicts that whites will be a minority in the country by sometime between 2040 and 2050, and four states (California, Hawaii, New Mexico, and Texas) are already minority-majority. (Frey, 2014). In a country where the share of non-white voters is increasing in population, if they also increase in their share of the electorate, a party that does poorly with these voters today will either have to

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<sup>7</sup> One of the reasons that despite public polls that the Romney campaign expected a victory was that they looked at the 2008 electorate of 74% white and expected the white share to increase, as it did in the 2010 midterm elections. However, exit polls showed it dropped to 72%.

<sup>8</sup> Democrats do not need to win the white vote to win Presidential elections. The last Democrat to carry the white vote was Lyndon Baines Johnson in his record holding share of the popular vote in 1964. However, they often needed to keep their losses to a low amount to win. The 2012 election showed they could lose the white vote by a tremendous margin yet win the election, something not possible in the past.

do one, two, or all of the following: keep the number in the electorate low or decrease it, increase their share of the non-white vote, or increase their share of the white vote.

Several papers and studies have been conducted on the issue of whether imposing a voter identification law will have an overall effect on voter turnout. These fall into largely two camps- that either turnout was not significantly affected, or turnout declined in states with a voter identification law. Some of the studies have looked at expectations of a photo identification law, while some look at observed results in states have implemented a photo identification law.

There is one study that seemed to find that turnout increased following passage of a voter identification law in Indiana. He compared turnout in 2002 (pre) versus 2006 (post). Milyo<sup>9</sup> found that turnout increased 0.70 percent for every one point increase in the countywide share of minority residents and also increased 0.29 percent for counties with a greater share of persons in poverty. He also found increases in turnout among Democrats, but decreases among those without high school degrees and the elderly. However, neither of these numbers were statistically significant. (Milyo: 2007: 6, 10-13).

A critical problem with Milyo's analysis is that he fails to take into account that 2002 was a relatively good Republican year, while 2006 was a landslide Democratic year where Democratic turnout spiked. In fact, Democrats in Indiana gained three U.S. House seats, regained control of the State House, and nearly won several down ballot statewide elections. Democrats won large victories in other states as well, helped by increased turnout among their traditional constituency groups. Milyo should have compared states without photo identification laws to see if turnout increases were similar or even higher. Further, Milyo's report was never published in any academic or legal journals.

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<sup>9</sup> Milyo is a senior fellow at the conservative CATO Foundation which is founded by and funded by Charles Koch.



Another study looking at Indiana in regards to provisional ballots based on lack of photo identification shows some interesting findings. Indiana, while considered a “red state” has an open primary. The result of this is that since voters do not register by party, many that vote in a primary tend to call for the ballot of the party with the most closely contested races. With the Democratic Presidential primary hotly contested in 2008, over 1.7 million voted in the primary, 74% of which voted in the Democratic Primary. Contrast this to 2012 with a nationally watched U.S. Senate primary on the Republican side, where about 957 thousand people voted. Of that, 67% were Republican. In 2008, 446 persons cast a provisional ballot due to lack of a photo identification, while in 2012 that number dropped to 122<sup>10</sup>. 22% and 21% of these ballots were ultimately counted. (Pitts, 2013: 951). This appears to indicate that elections with more Democratic voters in the mix will see more voters who lack photo identification.

Several other works have seen no statistically significant effect on turnout. Erikson and Minnite look at this using the Current Population Survey (CPS) comparing the 2002 and 2006 midterm elections. They utilize a 0 to 7 scale of how restrictive a state is, from 0 being state your name to 7 being a requirement to present a photo identification. They do note that they only have two 7s in their count since few laws had been implemented by 2006. (2009: 90). They do find that the most restrictive the law, the more turnout slope indicates turnout decline (for those without college degrees), but they find that the results are statistically insignificant. (2009: 95-97). While they admit that they are sympathetic to those challenging voter identification laws, they do end their paper with the following caveat, “Until we have more experience with restrictive voter ID laws that are already on the books and, therefore, more data to analyze, survey findings and database matching showing thousands, perhaps millions of citizens lacking

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<sup>10</sup> Under Indiana law, a person who could not produce a photo identification at the polls has ten days to present that necessary identification in their County Clerk’s Office. Those that do not will see their votes not counted.

government-issued photo ID should raise red flags for policymakers and voting rights advocates alike that these laws could prevent eligible voters from voting.” (2009: 98). In other words, they wanted to observe more elections in more states to see if their results hold up.

Mihlhausen and Sikich<sup>11</sup> also used CPS data, but from the 2004 election. They find that voters in states with photo identification laws were just as likely to vote as those where they were only asked to state their names. The report a statistically insignificant drop of 0.002 percent for whites and 0.012 for blacks. This paper also did not look at any election before the groundbreaking Indiana law, so nothing in the sample could account for strict photo identification laws. Mycoff, Wagner, and Wilson also conducted two other studies. One looked at turnout across elections from 2000 to 2006 and the other compared 2004 and 2006. They also found no significant turnout decrease based on passage of voter identification laws.

Vercellotti and Andersen look at one of the problems in studying the effect of voter identification laws: that we have seen less evidence of turnout decline at the aggregate level as compared to the individual level. (2009: 117). Another thing that they note is that hard to quantify how figure out how many voters will be able to overcome the learning curve imposed by voter identification laws versus those that will not, and thus not be able to exercise their right to vote. (2009: 120). Alvarez, et. al in their working paper and published work found a drop in voter turnout from photo identification laws when comparing those with versus those without. They also found a larger drop for whites than non-whites and more of a drop for the poorly educated. However, they were also using CPS data and were not assured that there was a racial effect from these laws.

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<sup>11</sup> This report was funded by the conservative Heritage Foundation, which supports strict photo identification laws. It was never published in an academic or legal journal.

In a working paper, Dropp (2013) finds what he describes as politically modest demobilizing effects on voter turnout from photo identification law. In his study he uses individual vote level data that he aggregates. Dropp sees drops in voter turnout poor, young adults, renters and African Americans. He also speaks of another important finding: that these laws tend to effect turnout more in midterm elections than presidential elections, since there is much more of a mobilizing effect by parties to win elections. (2013: 3). Dropp also makes an important note that voter identification laws can have the effect of change the composition of the electorate in favor Republicans and that even small changes of turnout among African-Americans can substantial effects on a close election.

Dropp further notes several important caveats to current research on voter identification laws in that, “First, the results are dependent on a relatively small number of states that modified their election law policies. Second, many of the strictest Voter ID laws have been passed in the last year, and future scholars will need to examine their effects. We will have a more definitive answer to this research question in coming years, after current Voter ID laws have been in effect for a longer duration and after strict Voter ID laws take effect in a series of additional states. Third, while this powerful, data source enables me to aggregate millions of individual level records, it is not without error.” (2013: 30). Dropp makes a critical point that while we may want to have some answer to whether voter identification laws depress voter turnout and among whom, many of these laws have not been in place in that many states for a long enough period of time to properly judge them. It also appears from the literature that aggregate national level data does not produce significant results versus individual level data, or even perhaps state or county level data.

Nate Silver, then with the *New York Times*, and who created the website 538, stated that Democrats many have a difficult time proving statistical significance in their challenges to voter identification laws. He opined, “Statistical significance, however, is a funny concept. It has mostly to do with the volume of data that you have, and the sampling error that this introduces. Effects that may be of little practical significance can be statistically significant if you have tons and tons of data. Conversely, findings that have some substantive, real-world impact may not be deemed statistically significant, if the data is sparse or noisy. My view is that something which might reduce turnout by 2 percent in a key state is meaningful in a practical sense — at least if you looking at the election in a detail-oriented way, as we often do. (Silver, 2012). What he proceeds to say is that the effects against Democrats are often small, up to a few points. It would take a very close election for these effects to change the balance of power of who wins a race.

Studies have found in the past few years that a critical factor in the passage of voter identification laws has been unified Republican control of a state. (Moore, 2015: 14). And in particular, these laws seemed to proliferate into enactment following *Shelby County*. By the time that this case was decided, all the states either covered entirely or substantially by the Voting Rights Act had both Republican Governors and Republican control of both Houses of the State Legislatures. Those that did not already have these laws in place at the time of the decision passed and/or implemented them afterwards.

#### **IV. Alabama**

As a legacy of cotton production and slavery, Alabama always had a substantial black population, with a substantial concentration in an area known as the “Black Belt” which follows

in an east-west direction in a band going through the capitol city of Birmingham. In the first census after the Civil War (1870), blacks made up nearly 48% of the population. However, that number declined as a percentage since then. Because of grinding poverty, sharecropping, restrictive laws such as Jim Crow, and violence by groups like the Ku Klux Klan, two waves of migration to northern cities occurred to the point where black populations dropped below 30%. But as V.O. Key noted, despite the progressive politics of the northern part of Alabama (which was a big beneficiary of the New Deal through the Tennessee Valley Authority), politics in the Black Belt were dominated by the old Whig faction of slaveholders, and thus were very conservative. (1984: 42-46). This helps to explain much of the racial politics in Alabama: the higher share of blacks in an area, the more racial hostility.

The State of Alabama has had one of the worst records on civil rights throughout its history. In 1963, Gov. George C. Wallace (D-Alabama) stood in the door of the registrar to the University of Alabama and proudly proclaimed, "Segregation today, segregation tomorrow, segregation forever." (Elliott, 2003). In 1968, he ran under the anti-civil rights American Independent Party. He won five states, including his home of Alabama, where he won 66.58% of the vote. (Leip). At this time, Alabama had literacy tests, grandfather clauses, poll taxes and other barriers for African Americans to not only vote, but even to register to vote. These dated back to the end of Reconstruction. The Justice Department found in 1965 that whites had a registration rate of 69.2 versus 19.3 for blacks, for a difference of nearly 50 points. There were also no black state legislators, despite them being about 30% of the population. Cite- Justice Dept. For many of these reasons, Alabama was placed under Section 5 supervision, along with 5 other states in the original Voting Rights Act in 1965.

Even after passage of the Voting Rights Act, Alabama continued to have a horrible record in the area of voting rights. The Justice Department Civil Rights Division entered 106 objections against either the state or jurisdictions within the state before *Shelby County*. Of those numbers, four objections were against Shelby County itself. Many of the objections were in the period shortly after passage of the Voting Rights Act, but others later objections were to what has been called, “second generation barriers” *Shelby County*, 570 U.S. \_\_\_, 5 (Ginsburg, J. dissenting). Many of these barriers were more discriminatory in their impact (as well as some of those also discriminatory in purpose). Many of these were aimed at vote dilution, through gerrymandering<sup>12</sup> and annexation<sup>13</sup>, and even challenges to the rules of the then dominant Alabama Democratic Party.<sup>14</sup> Counties with a violation or objection can be found in Figure 1. It turns out that many of these counties were located in the Black Belt.

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<sup>12</sup> Vote dilution is often done through at-large districts or manipulating district lines to assure that minorities do not achieve a majority in many or any seats. At-large districts were what was examined in *City of Mobile v. Bolden*.

<sup>13</sup> As cities and towns saw their racial demography change, some would try to annex more whites or de-annex blacks to keep their jurisdictions majority white. For a more illustrative example of this, see *Gomillion v. Lightfoot*, 364 U.S. 339 (1960) for an egregious example of this before passage of the Voting Rights Act. The City of Tuskegee did lose the case based on language of the 15<sup>th</sup> Amendment.

<sup>14</sup> Until the mid-1980s, Republicans were not competitive whatsoever in Alabama at the statewide level. Even until the mid-1970s, all members of the Alabama Legislature were Democrats, and their dominance continued there until 2010. Since winning the Democratic nomination was akin to winning the election, this is a reason for challenge to the party rules by the Justice Department.

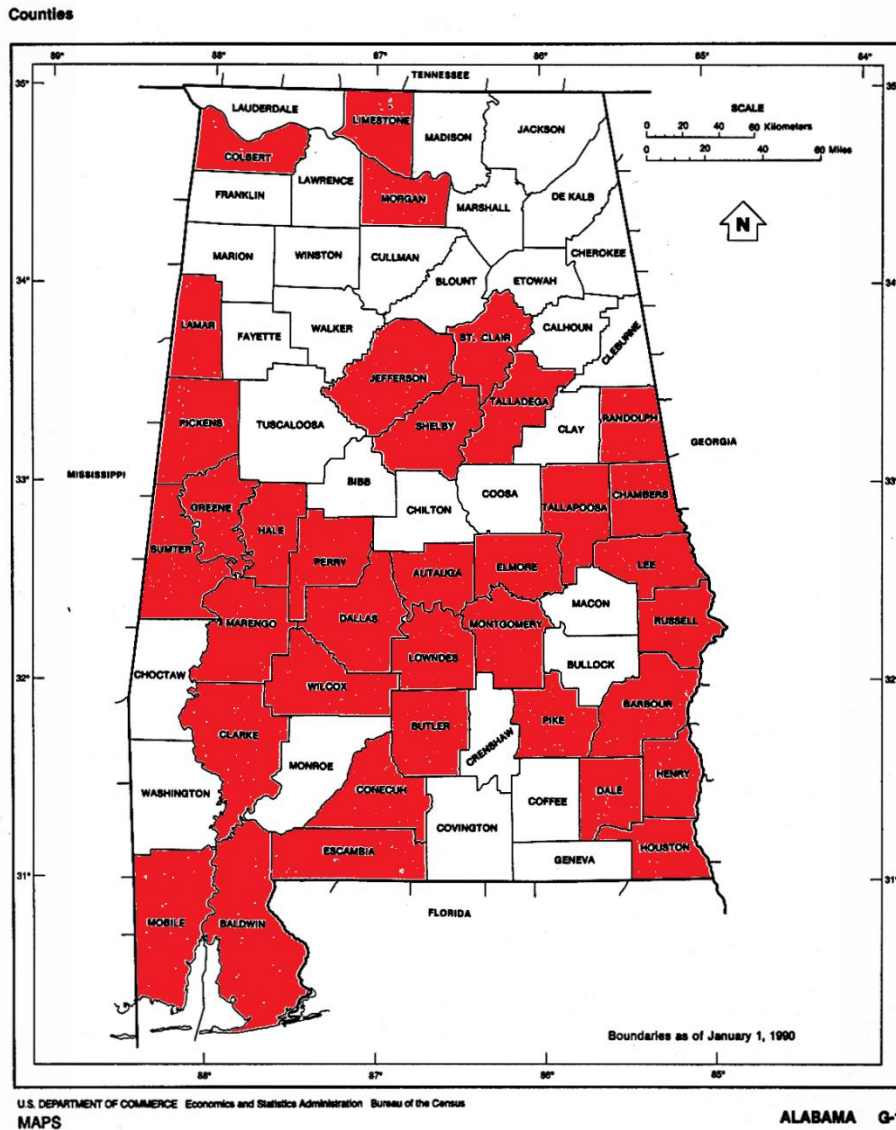


Figure 1: Alabama Counties with VRA Violations or Objections 1965-2013

In the period of time following the Voting Rights Act, Democrats continued their near century long dominance of the State of Alabama. One had an interesting situation, however, in that newly registered African-Americans were part of the Democratic Party, along with the segregationists who sought to keep them from registering and voting. However, as time moved forward, the African-Americans became more solidly Democratic in voting while whites drifted away from Democrats. In 1986, the state elected its first Republican Governor since Reconstruction. Republicans made incremental gains in the 1990s and 2000s in the State

Legislature, and the Republican electoral wave swept them into strong majorities in the 2010 election, giving the party complete control of state government (including all but one of the 24 statewide offices). Democrats lost their final statewide office in 2012 when Public Service Commissioner Lucy Baxley, a former Lt. Governor was defeated for reelection, making Alabama's statewide elected officials uniformly Republican.

During the time that Republicans were gaining ground, more and more African-Americans were winning non-statewide offices thanks to the Voting Rights Act. The 7<sup>th</sup> Congressional District was transformed to an African-American majority district in 1992, and thus elected Alabama's first African-American member of the U.S. House since Reconstruction. They also made gains in the State Legislature. This led to stark racial polarization among the parties in the legislature. Today, Republicans hold a 27-8 edge in the Senate. All the Republicans are white and all but one of the Democrats is black<sup>15</sup>. Republicans in the House have a 72-33 majority, with all Republicans being white and all but six of the Democrats being black.

The Republicans in government have not been seen as particularly favorable by civil rights leaders. Following the opinion in *Alabama Democratic Conference v. Alabama*, 575 U.S. \_\_\_\_ (2015), a district court is examining whether Republican lawmakers improperly packed black voters in higher than needed numbers in as few of districts as possible. Alabama also recently settled a potential lawsuit from the Department of Justice for failing to comply with the National Voter Registration Act of 1993. (Chandler, 2015). This act, commonly known as the "motor voter" law, required states to allow persons to register to vote at places where they get driver's licenses. (52 U.S.C. § 20501 - 52 U.S.C. § 20511).

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<sup>15</sup> The lone white Democrat represents a black majority district.



Amidst budgetary issues in the State of Alabama due to an enormous shortfall in the state budget, a cut from \$55 million to \$40 million was proposed to the Alabama Law Enforcement Agency<sup>16</sup> was proposed by lawmakers. In response, its director said he would have to close all but four DMV offices in the state (Birmingham, Mobile, Montgomery and Huntsville). (Roop, 2015). In the end the cuts were reduced to \$11 million dollars, and he ALEA announced the closure of 31 offices<sup>17</sup> across the state (WBRC, 2015). (See Figure 1). Most of these closures were in rural Alabama, including many in the part of the state known as the “Black Belt” because of its high concentration of African-Americans going back to the days of slavery. Of the 18 “Black Belt” counties, 12 of the 18 would have seen a BMV closure, a rate of 67 percent, versus only about 34 percent outside this region. (See Figure 2). After a public outcry, Gov. Bentley relented slightly, so that each of the offices would be open one day per month. (Lyman, 2015). Still, service is dramatically reduced from its previous levels.

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<sup>16</sup> The agency is a merged one that includes the DMV.

<sup>17</sup> Two counties, Baldwin and St. Clair, had one office close, but still had a full time DMV office available. Both are among the most consistently Republican counties in the state.

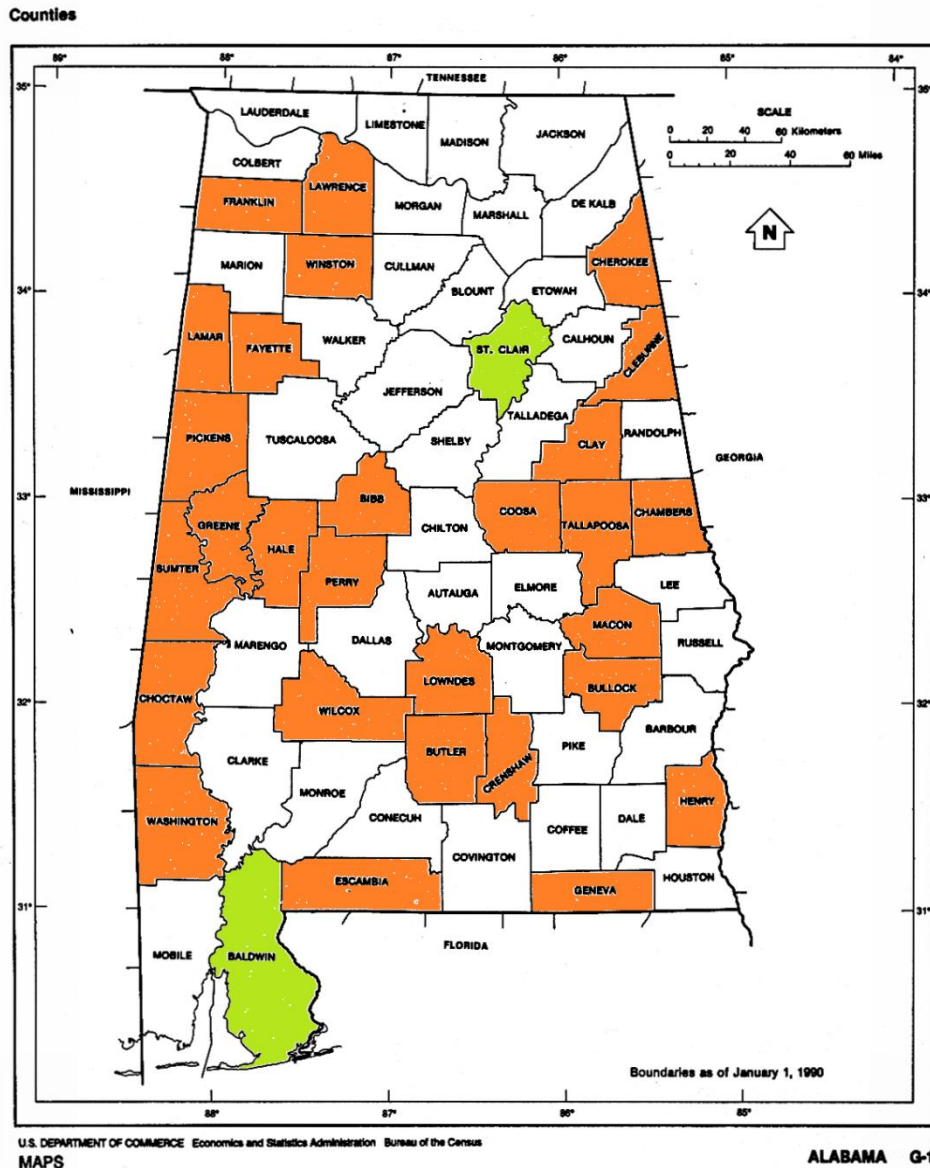


Figure 2: Alabama Counties with Proposed BMV Closures. Orange counties would have had no offices, while the two green counties would have seen one of two offices close.

## V. Research Design, Data and Discussion

Data collected for this study came from primarily two sources: the United States Census Bureau and the Alabama Secretary of State. The data collected from the Census included the racial and control data. The primary racial data collected were that of race (black or white alone), Hispanic, age over 65, non-English household, foreign born, percentage rural, income data, and

education. Election data was (by county) for the 2008 Obama percentage of the two party vote, turnout in 2008 and 2016 primary elections, both altogether and by party preference, and overall turnout in the 2010 and 2014 midterm elections.

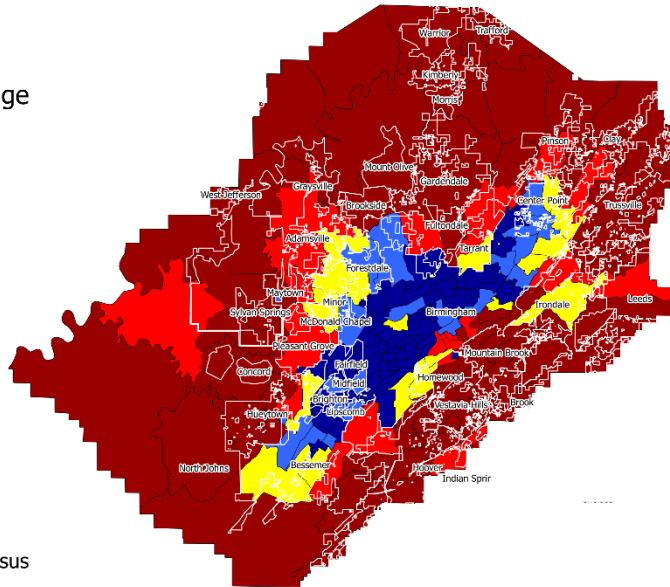
One of the important reasons for the precinct level data is that Alabama, like other areas in the South (and North) are highly residentially segregated. In addition to the segregation already in place, precincts also tend to cluster minority voters together for reasons related to redistricting. For example, Jefferson County, which is the largest county in the state and home of the largest city in the state of Birmingham is highly segregated. In terms of racial makeup, it is 51-43 white alone versus black. As one can see from Figure 3 (Naigles, 2015), the most common racial makeups of precincts in the county are either 80%-100% white or 80%-100% black. Being able to judge turnout at the precinct level would help with the problem that county level data may hide what could be an increase of turnout in terms of one racial group, but a decrease in another.

## Racial Demographics of Jefferson County, Alabama, 2010

By Gregory Naigles

African-American Percentage  
as of the 2010 Census

- 80% - 100%
- 60% - 80%
- 40% - 60%
- 20% - 40%
- 0% - 20%



Source: 2010 U.S. Census

Figure 3: Racial Makeup of Jefferson County, Alabama by Precinct

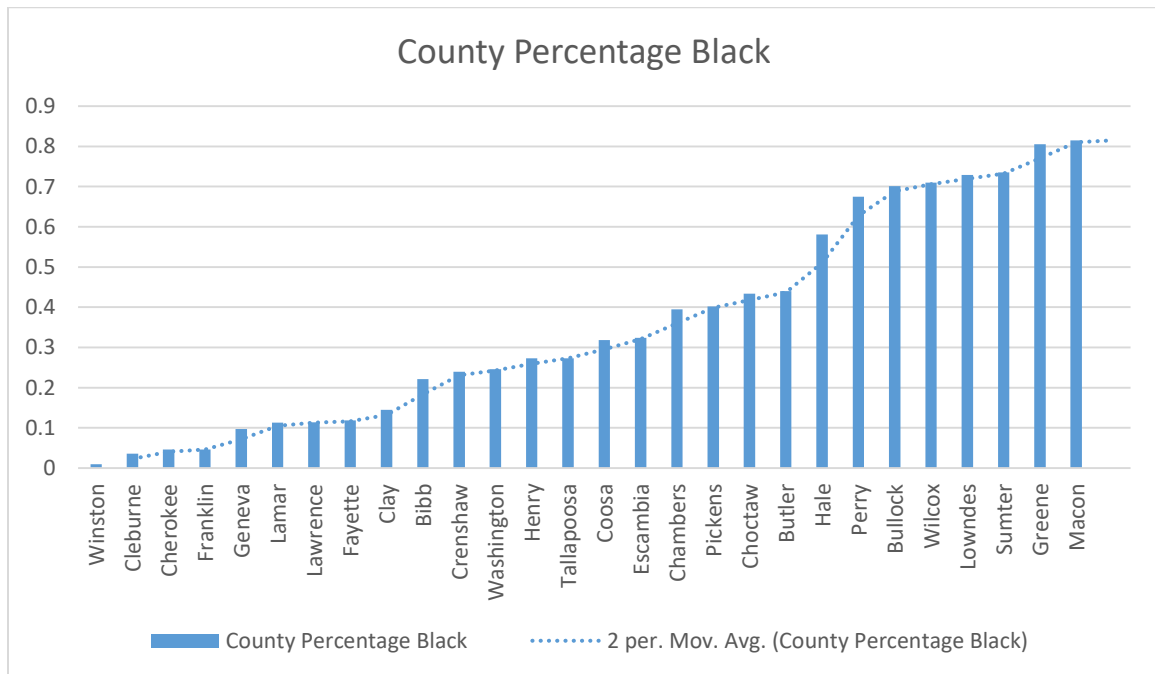


Figure 4: BMV Closure Counties by Percentage Black

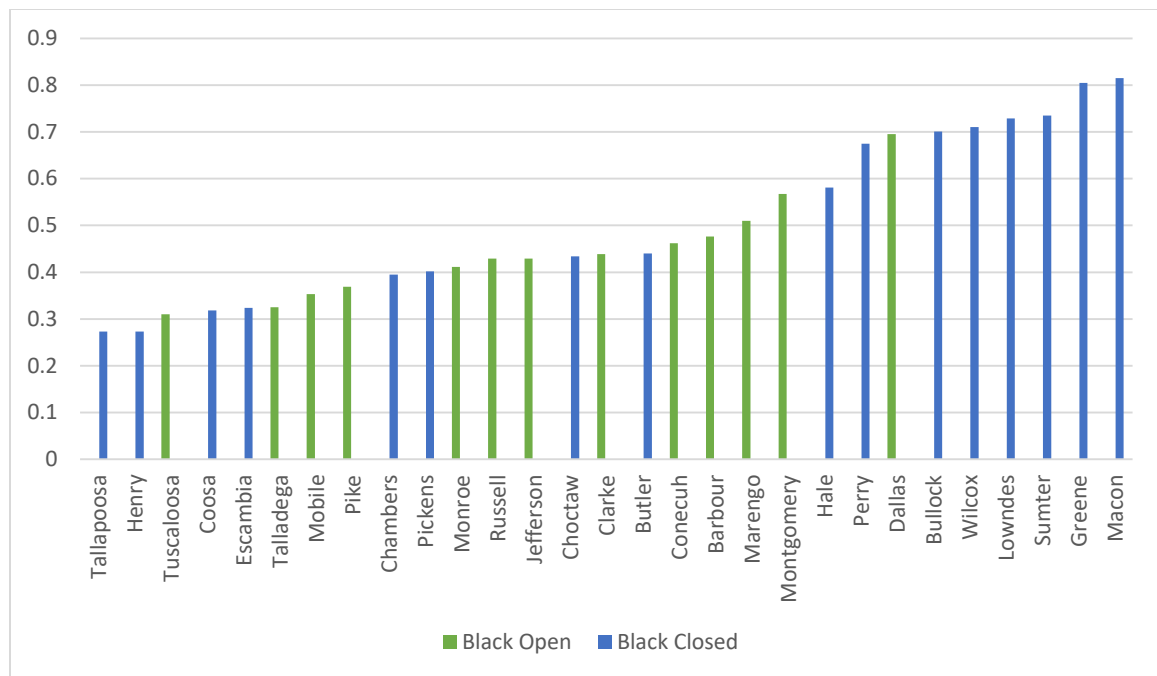


Figure 5: Counties above 27% Black

When looking at the 30 counties in Alabama with black populations above 27% (which is the approximate statewide share), 17 of those counties saw a BMV closure, meaning that 57% of counties with a percentage of blacks higher than the statewide share. This is in comparison to an overall rate of county closure of BMV offices of 42%. Of the 11 black majority counties in the state, eight of them saw a BMV closure. However, when one looks at the nine highest black majority counties, all but Dallas (Selma) had their BMV office closed. However, one could also say that this was due to population. Of the 37 least populated counties, all 28 of those that closed were within this group.

For the statistical measures, we will employ a bivariate logistic regression for four of the models, and then four additional logistic regressions with additional county level variables to make sure the initial results stand. Half of the models use all 67 counties, while the other half use only 63 counties. The reason for this is that during the time that Bentley was discussing closures, his initial statement is that he might only have enough funds to keep the BMV sites open in four

counties: Jefferson, home to Birmingham; Madison, home to Huntsville, as well as Mobile and Montgomery Counties. These are the four largest counties in the state. This would have required long drives for residents of much of the state to do their business with the BMV. Finally, half the models are weighted by population of the county. This helps to demarcate the discriminatory effect by simply county (unweighted) and the effect on the state's African-American population as a whole.

First in addressing the bi-variate analysis, as is shown in Table 1, three of the four models show statistically significant discriminatory effect against African-Americans. These effects are further demonstrated in Figures 6, 7, 8 and 9, which are out of sample predictions for those models. The interpretation of these models show that as the African-American share of the county's population increases, so does the likelihood that the BMV branch would close. It is the same in Model 1 and Model 2 counting each county as unit of analysis without weighting by population. This would mean that African-Americans, who disproportionately lack photo identification as compared to whites, would have further costs imposed on them. Under a Downsian model, this would point to greater costs for voting, which would naturally lead to lower African-American voter turnout. The out of sample predictions show that in both models, as a county approaches and then exceeds being African-American majority, those counties are more likely than not to have their BMV branch closed by Bentley. It is even more dramatic when excluding the four largest counties.

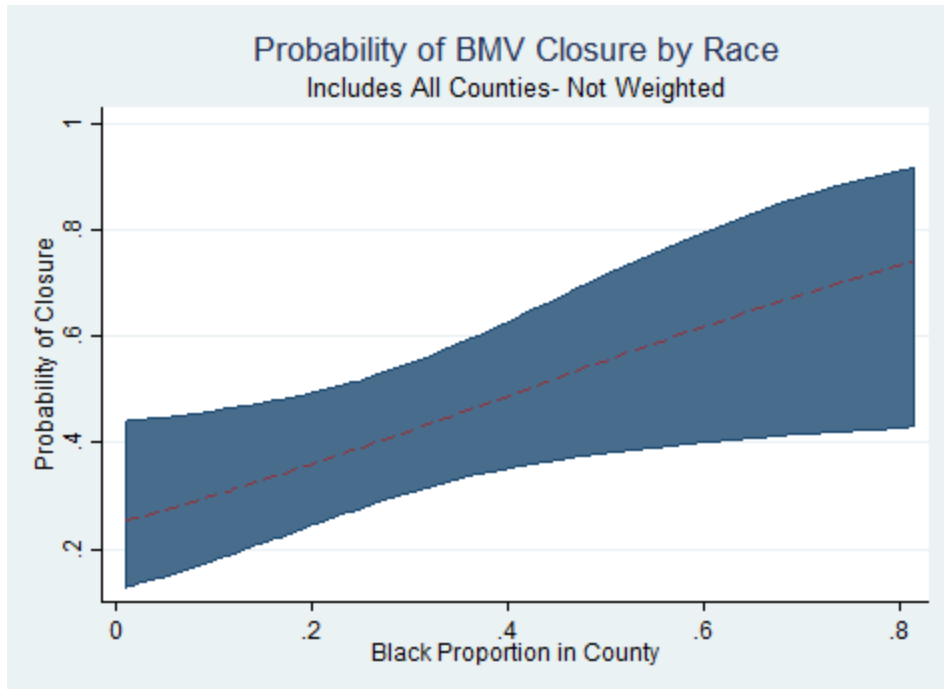


Figure 6: Out of Sample Prediction for BMV Closures by Race of all 67 counties (not weighted by population)

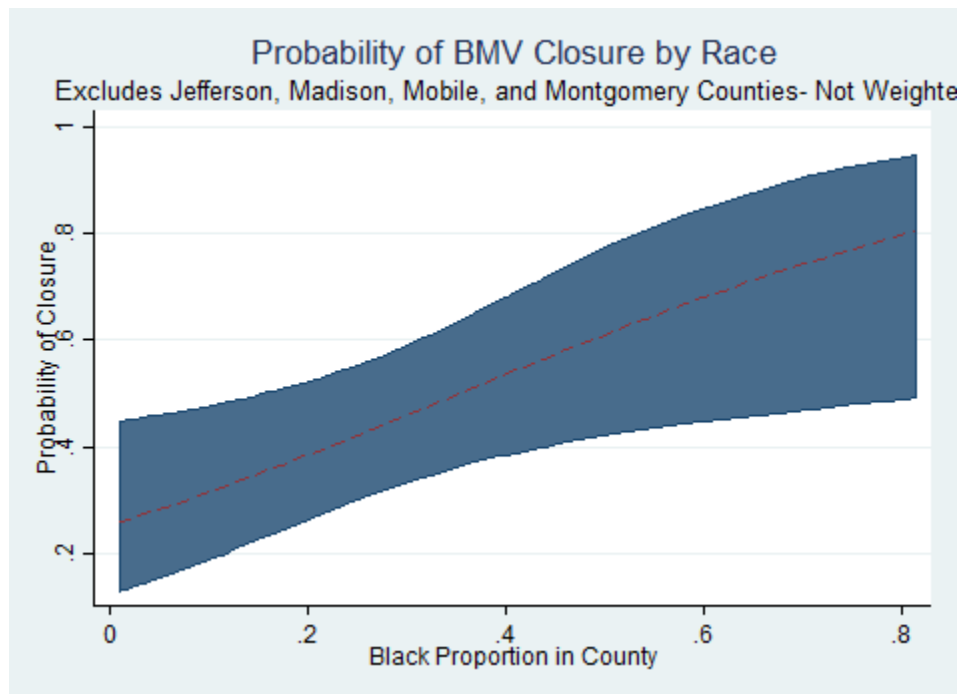
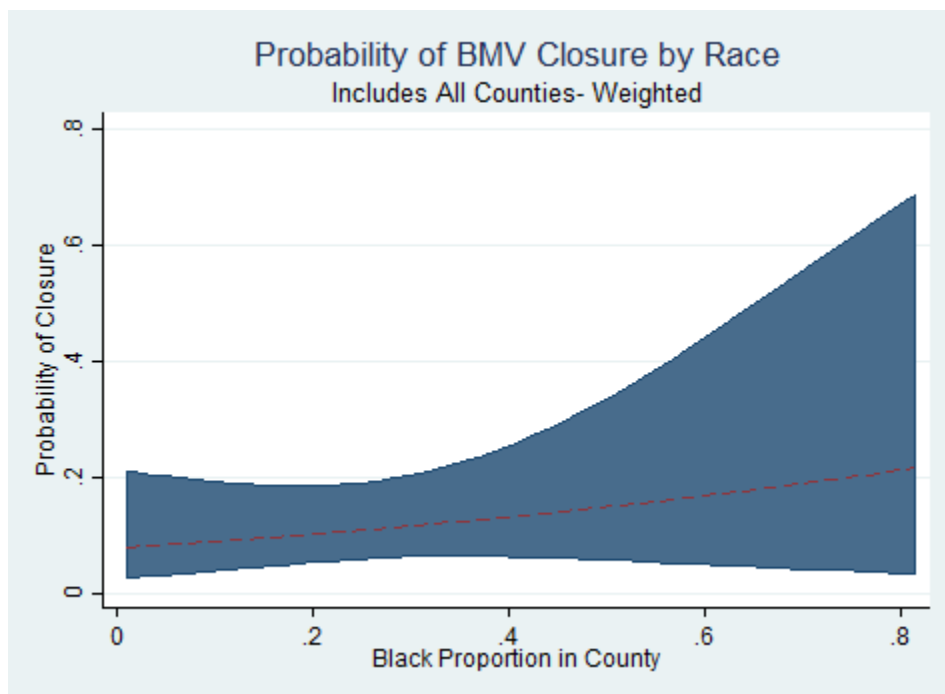


Figure 7: Out of Sample Prediction for BMV Closures of all counties except the four largest, not weighted by population

However, the inquiry does not end here. In using weighted county samples (where the N still is equal to the N in Models 1 and 2), we are able to judge the effects of African-American

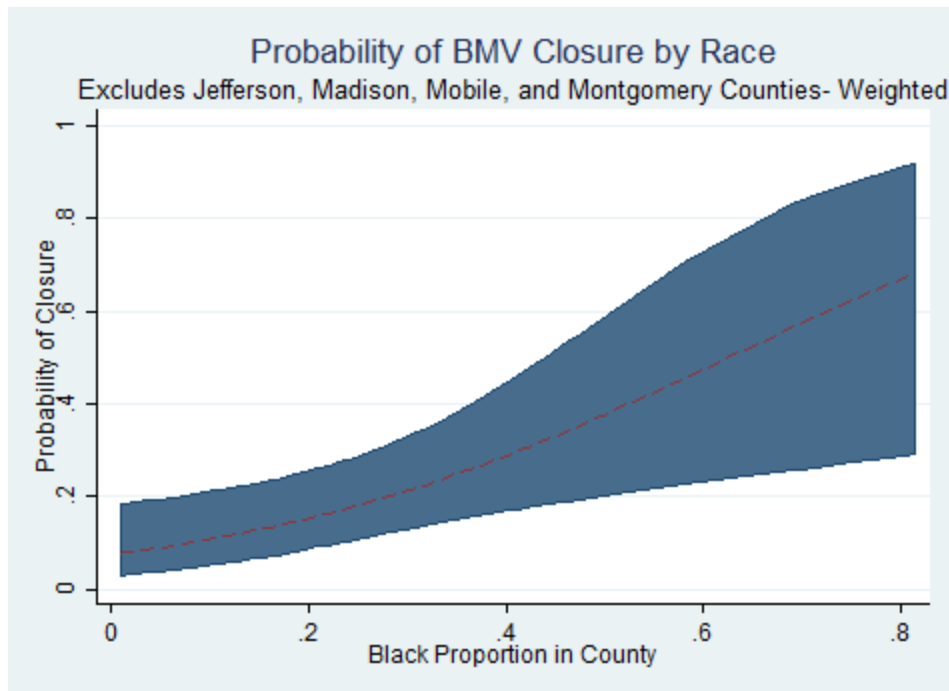
residents in the state as a whole. The results (in Models 3 and 4) here are more nuanced than in the unweighted county numbers. When weighted samples, the model using all 67 counties shows a statistically insignificant discriminatory effect. However, when removing the four largest counties, where about half of the state's African-American population resides<sup>18</sup>, the results show statistically significant discriminatory effect. This can best be interpreted that the discrimination aimed by Bentley and his administration was targeted against rural African-Americans in the state, not so much the densely urban populated areas with African-Americans.



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<sup>18</sup> Unlike most states in the North, many states in the Deep South have a very large rural African-American population. Alabama fits that model. While those four counties have slightly less than half of the African-American population of the state, they are only about 1/3 of the total state population.





The interpretation of these results can be backed up by a Bentley Administration official named Rebekah Mason, who was also the Governor’s mistress, whose affair and associated events therefrom turned out to be the proximate cause of his resignation in April of this year. In one of the text messages, Bentley tells Mason, “Baby, I want you to screw me harder than you did the black voters! Oh, darling, I want you more than a resident of Wilcox County wants a driver’s license — but at least I can get you!” (Zoom, 2017). Much of what came to light is that Bentley sought to punish his political enemies while sparing his allies from the cuts. While Bentley may have sought to close most all of the sites in mostly African-American areas, he and his administration thought it would be a bit too blatant to try to close sites in Birmingham, Montgomery or Selma. (Cite). When these cuts were brought to the attention of the U.S. Department of Transportation, they also saw discriminatory effect against African-Americans. Another point that makes Bentley’s explanations that these cuts were primarily done to close a \$200 million dollar budget deficit: it was later found that these cuts would save the state no more than \$200,000, which is only a tenth of a percent of what needed to be cut. The challenges by

civil rights groups to this cut ensure that legal fees associated with these closures would exceed those savings.

<b>Dependent Variable: County BMV Closure</b>	<b>Model 1: Bi-Variate Logit (All Counties)</b>	<b>Model 2: Bi-Variate Logit (All but four largest counties)</b>	<b>Model 3: Bi-Variate Logit Weighted (All Counties)</b>	<b>Model 4: : Bi-Variate Logit Weighted (All but four largest counties)</b>
<b>Black Proportion in County</b>	2.6467 (-1.1045)*	3.0615 (-1.0820)*	1.4462 (1.8238)	4.0146 (-2.5416)**
<b>No. of Counties</b>	67	63	67	63
<b>N</b>	67	63	67	63
<b>Log Likelihood</b>	-42.9177	-40.0062	-23.4396	-26.6163
<b>Pseudo R<sup>2</sup></b>	.0575	.0756	.0088	.0783

Here, want to talk about the multi-variate analysis holding up. I ran out of time to include

## **VI. Concluding Remarks**

Alabama has had one of the country's worst records in terms of civil rights and voting rights. Once they were lifted from preclearance requirements under the Voting Rights Act, they moved to implement a strict photo identification law, which many see as disproportionately impacting minorities. They then proceeded to close locations where one could get their identification. Three of the four models indicate discriminatory behavior by the State of Alabama against African-Americans, but in particular their populations outside the four major counties in the state.

### **Works Cited:**

*Alabama Democratic Conference v. Alabama*, 575 U.S. \_\_\_\_ (2015).

Alabama Secretary of State, Elections Division. Retrieved at:

<http://www.alabamavotes.gov/ElectionInfo.aspx?a=voters>.

Alvarez, R. M., D. Bailey, and J. N. Katz. 20008. *The Effect of Voter Identification Laws on Turnout*. Manuscript, California Institute of Technology and Washington University in St. Louis.

Barreto, M. A., Nuno, S. A., & Sanchez, G. R. (2007, September). *Voter ID requirements and the disenfranchisement of Latino, Black and Asian voters*. Paper presented at the annual meeting of the American Political Science Association, Chicago, IL.

Chandler, Kim. *Alabama seeks to avoid lawsuit over 'Motor Voter Act'*. The Gadsden Times. 15 November, 2015.

*City of Mobile v. Bolden*, 446 U.S. 55 (1980).

CNN Election Center: 2012 Exit Polls, retrieved at:

<http://www.cnn.com/election/2012/results/race/president/>.

*Crawford v. Marion County Election Board*, 553 U.S. 181 (2008).

*Crawford v. Marion County Election Board*, 472 F.3d 949 (7th Cir. 2007).

Downs, Anthony. 1957. *An Economic Theory of Democracy*. New York: Harper & Row.

Dropp, Kyle A. 2013. *Voter ID Laws and Voter Turnout*. Working Paper.

Elliott, Debbie. 2003. *Wallace in the Schoolhouse Door*. National Public Radio. June 11.

Retrieved at: <http://www.npr.org/2003/06/11/1294680/wallace-in-the-schoolhouse-door>

*Frank v. Walker*, 773 F.3d 783 (7<sup>th</sup> Cir.), en banc denied.

Frey William H. (2014). *New Projections Point to a Majority Minority Nation in 2044*. The Brookings Institution. <http://www.brookings.edu/blogs/the-avenue/posts/2014/12/12-majority-minority-nation-2044-frey> retrieved on April 3, 2016.

Fund, John H. (2008). *Stealing Elections: How Voter Fraud Threatens Our Democracy*. Encounter Books.

Gibson, Campbell and Kay Jung. U.S. Department of Commerce. Bureau of the Census. 2005. *Historical Census Statistics on Population Totals by Race, 1790 to 1990, and By Hispanic Origin, 1970 to 1990, For Large Cities and Other Urban Places in the United States*. Washington, D.C.: Department of Commerce.

*Gomillion v. Lightfoot*, 364 U.S. 339 (1960).

*Harper v. Virginia Board of Elections*, 383 U.S. 663 (1966).

Hood, M.V. III and Charles S. Bullock. (2008). "Worth a Thousand Words?" An Analysis of Georgia's Voter Identification Statute". *American Politics Research* 36: 555-579.

Indiana Code 3-11.7-5-1.

Indiana Code 3-11.7-5-2.5.

*Indiana Democratic Party v. Rokita*, 458 F. Supp. 2d 775 (S.D. Indiana 2006).

Indiana Senate Enrolled Act 463 (2005).

*Katzenbach v. South Carolina*, 383 U.S. 301 (1966).

Key, V. O. Jr. 1984. *Southern Politics in Nation and State: A New Edition*. Knoxville: University of Tennessee Press.

Lyman, Brian. 2015. *Alabama Will Reopen Closed DMV Offices in Black Counties*. Governing Magazine. October 30.

Milyo, Jeffrey. (2007). “*The Effects of Photographic Identification on Voter Turnout in Indiana: A County-Level Analysis.*” Report 10-2007. Retrieved [March 31, 2016], from University of Missouri Columbia, Institute of Public Policy Web site: <http://www.truman.missouri.edu/ipp/products>

Mycoff, J. D., Wagner, M. W., & Wilson, D. C. (2009). *The Empirical Effects of Voter-ID Laws: Present or Absent?* PS: Political Science & Politics, 42(1): 121-126.

National Conference of State Legislatures (2014). *Elections and campaigns 2001-2014.* <http://www.ncsl.org/research>.

Naigles, Gregory. 2015. *Of Alabama, 2012 Elections, Obama, and the Chief Justice of the State Supreme Court.* Retrieved at: <https://gregorynaigles.com/2015/10/15/of-alabama-2012-elections-obama-and-the-chief-justice-of-the-state-supreme-court/>.

*Northwest Austin Municipal Utility District No. 1 v. Holder*, 557 U.S. 193 (2009).

Petska, Alicia. 2015. *Civil rights leaders demand Goodlatte move on Voting Rights Act reform.* The Roanoke Times. June 25.

Pitts, Michael J. 2013. *Photo ID, Provisional Balloting, and Indiana’s 2012 Primary Election.* University of Richmond Law Review 47: 939-957.

P.L. 97-205.

Riker, William and Peter Ordeshook. 1968. “A Theory of the Calculus of Voting.” *American Political Science Review* 62(1): 25-42.

Roop, Lee. 2015. *State will close all but four drivers' license offices next year if budget cuts stand.* Al.com.

[http://www.al.com/news/index.ssf/2015/08/state\\_says\\_it\\_will\\_close\\_all\\_b.html](http://www.al.com/news/index.ssf/2015/08/state_says_it_will_close_all_b.html). August 24.

*Shelby County v. Holder*, 570 U.S. \_\_\_\_ (2013).

Opinion Announcement. Retrieved at: <https://www.oyez.org/cases/2012/12-96>

Silver, Nate. 2012. *Measuring the Effects of Voter Identification Laws*. The New York Times. July 15.

U.S. Department of Commerce. Bureau of the Census. *Population Estimates: Intercensal Estimates* – U.S Census Bureau. Census.gov. Retrieved on March 3, 2016.

United States House of Representatives. Office of the Clerk of the House. 2006. *Final Vote Results for Roll Call 374: Recorded Vote. Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act*.

42 U.S.C. § 1973.

52 U.S.C. § 20501 - 52 U.S.C. § 20511.

U.S. Const. 15<sup>th</sup> Am.

U.S. Const. 24<sup>th</sup> Am.

*United States v. Grace*, 461 U.S. 171 (1983).

Vercellotti, T., & Andersen, D. (2009). *Voter-Identification Requirements and the Learning Curve*. PS: Political Science and Politics, 42 (1), 117-120.

Vercellotti, T., & Andersen, D. (2006). Paper prepared for presentation at the 2006 annual meeting of the American Political Science Association, Philadelphia, PA, and Aug. 31 – Sept. 3, 2006.

WBRC. 2015. *31 satellite driver license offices to close in Alabama*.  
<http://www.wbrc.com/story/30153221/31-satellite-driver-license-offices-to-close-in-alabama>.  
September 30.