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January 21, 2022

Ways and Means Committee
Room 131
House Office Building
Annapolis, Maryland 21401

Dear Chair Atterbeary and Vice Chair Washington:

I am writing on behalf of ADL (the Anti-Defamation League) to express our strong **opposition to HB 113, Elections - In-Person Voting - Proof of Identity**. Bills like these are a solution in search of a problem and only serve to disenfranchise members of marginalized communities.

As you may know, ADL is a leading anti-hate organization committed to stopping the defamation of the Jewish people and securing justice and fair treatment to all. Its mandate is to protect the civil rights of all persons; eliminate vestiges of discrimination, racism, and antisemitism; and fight hatred in all its forms. Advancing voting rights and promoting democracy have long been core components of this mission. Through educational campaigns on how to vote; activism in the legislative arena and other halls of power; and, when necessary, participation in litigation, ADL has fought to guarantee basic voting rights for all Americans.

In keeping with our mission, ADL strongly opposes voter ID laws like HB 113. Our elections, including in Maryland,¹ are already extremely secure — indeed, the 2020 election was “the most secure in American history,” according to the Trump administration’s own Cybersecurity and Infrastructure Security Agency — and instances of in-person voter impersonation are exceedingly rare. Unsupported fears of voter fraud cannot justify making voting even harder and more time-consuming for voters, particularly where it is well-known that photo ID requirements disproportionately deny voting rights to people of color, people with disabilities, students, low-income workers, and seniors.

By way of example only, a study by the Brennan Center for Justice at NYU School of Law found that 25 percent of African-American voting-age citizens do not have government-issued photo ID, compared with only 8 percent of white voting-age citizens.² Similarly, 18 percent of citizens age 65 and over, and 15 percent of voters earning under \$35,000 per year, do not have government-issued photo identification.³ Unfortunately, many people who lack photo ID also do not have the underlying documents required to obtain photo identification,

¹ K. Amara, *Expert: Maryland hasn't had widespread fraud with in-person or mail-in voting*, WBALTV1 (Sept. 30, 2020), available at <https://www.wbalTV.com/article/expert-says-no-widespread-voting-fraud-in-maryland/34226640>. See also the State Board of Elections, Election Security, available at https://elections.maryland.gov/about/election_security.html.

² *Citizens Without Proof: A Survey of Americans' Possession of Documentary Proof of Citizenship and Photo Identification*, Brennan Center for Justice at NYU School of Law (Nov. 2006), available at http://www.brennancenter.org/sites/default/files/legacy/d/download_file_39242.pdf.

³ *Id.*

such as a birth certificate or certificate of naturalization. The Brennan Center's study, for example, found that 13 million American citizens do not have access to documents that prove their citizenship.⁴

A more recent study by the Government Accountability Office (GAO) confirmed that voter ID laws have disproportionately prevented African American and young voters from voting.⁵ By comparing voter turnout in Tennessee and Kansas — two states that had passed voter ID laws between 2008 and 2012 — with voter turnout in states that had not passed voter ID laws during that time, the GAO concluded that voter ID laws caused a decrease in voter turnout. More specifically, it found that the laws disproportionately impacted African American voters and voters between the ages of 18 and 23. Overall, 122,000 fewer voters than expected cast ballots in Tennessee and Kansas in 2012.

Our legislature should be working to expand free and fair access to the ballot box. In Maryland, we should make sure that our laws and our policies are crafted in a way that makes it easier to vote, rather than harder. We accordingly urge the House Ways and Means Committee to give HB 113 an unfavorable report.

Sincerely,



Meredith R. Weisel

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⁴ *Id.*

⁵ *Elections: Issues Related to State Voter Identification Laws*, United States Government Accountability Office, Report to Congressional Requesters (Sept. 2014), available at <https://www.gao.gov/assets/670/665966.pdf>.