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Written Testimony of Scott Douglas, Executive Director of Greater Birmingham Ministries to the Subcommittee

Greater Birmingham Ministries (GBM) is a 50-year-old interfaith organization serving metropolitan Birmingham and the State of Alabama. We are Jews, Christians, and Muslims; black, white, and brown, united in providing emergency assistance to low-income families and working together over the years to improve those systems of private and corporate practices and public policies that affect the poor unjustly. Our work has addressed housing systems, health care systems, transportation systems, the criminal justice system and, importantly, the voting system that impacts them all.

For decades, GBM has conducted voter registration among the 2,000+ families we serve each year in need of utility, food, housing, clothing and other emergency assistance. Since 2007, we have expanded our voter registration drives by going into low-income neighborhoods, hospital waiting rooms, central bus station and our city to reach potential voters.

For GBM, our fundamental principle is that no one should be denied access to housing, education, health care, transportation, or justice. This principle is embedded in Holy text, not the least clear verse of which is “Proverbs 31:9, which proclaims, “Yes, **speak** up for the poor and helpless, and **see** that they get justice.”

Because access to decent and affordable housing, quality healthcare, reliable transportation and increases in the minimum wage are determined by public policies made by elected officials, GBM believes that access to the vote for poor people is fundamental in deciding who gets to make public policies and how those public policies take shape. When the voices of the poor are diminished – or silenced – public policies reflect the absence of the voices of the poor with often dire consequences for their quality of life.

In Alabama, seeking justice for the poor through the franchise has always been a difficult venture. Our current State Constitution, conceived in infamy and perpetrated by massive fraud, passed in 1901 to disfranchise all Black voters and seriously reduce the vote of all poor people. Black disfranchisement was the stated goal of the 1901 Constitutional Convention—as the Convention President John Knox proudly proclaimed at the time was what he wanted was to “establish white supremacy by law” in Alabama. During the vote on the 1901 Constitution, thousands upon thousands of votes cast by Black men in Alabama’s Black Belt were counted by white vote counters as votes **for** the new constitution. If you’re looking for vote fraud, the vote on the 1901 Constitution is the pinnacle, or the pits, of vote fraud and it was implemented not by voters, but by a conspiracy of state officials at a time when all state officials were white.

It was only decades later that the Voting Rights Act, won through blood and struggle, persistence, and clarity of vision of the famous and the unnamed, began to right the wrong.

Fast forward to Alabama's Photo ID law (HB-19 law), enacted in 2011 along with Alabama's anti-immigrant law (HB-56) that itself has a voter-suppressive "Proof of Citizenship" clause – the two together comprise a people of color voter suppression combo. The Photo ID law was written to not come into effect until the 2014 elections. But by that time, *Shelby v. Holder* had been decided, and it effectively eliminating the pre-clearance process under the Voting Rights Act that might have blocked the Photo ID Law.

Without the protection of the "guts" of the Voting Rights Act, Section 5, the Pre-clearance provision, the changes in Alabama's voter ID laws placed a tremendous burden on already economically and socially burdened Black and Latino families.

Money is obviously a burden, by definition, for low-income people. Even obtaining the "free" state-issued photo ID requires people to draw on scarce funds to compile the underlying documents. The list of accepted documents required to obtain a voter ID card is limited, and includes, for example, a birth certificate, hospital record, census record, military record, Medicare or Medicaid document, social security document, certificate of citizenship, or official school record or transcript. Many of these must be requested from a government agency and may include a fee.

Transportation is also a burden for low-income people that is not so obvious to those of us who have reliable transportation. If you're poor and happen to live in urban areas, you can't rely upon public transportation to get you to the polling place before work or after work. That's a pre-existing burden. But the added burden is first having to get to the nearest driver's license office in the urban areas to procure the proper ID to vote. And in many Black-Belt counties, if there is a car in the family, it's being used by the bread-winner who has to use the car to get back and forth to work, often in a neighboring county.

GBM has had direct experience with low-income people burdened by Alabama's Photo ID law.

For example, through litigation, GBM became aware of Elizabeth Ware. She is an African-American who voted before HB 19. However, her non-driver photo ID was lost in 2014 and she did not have any of the other forms of required ID to vote. Due to Ms. Ware's fixed income, lack of reliable transportation, and limited mobility, HB 19 prevented her from voting.

Ms. Ware's income consisted solely of social security disability as a result of a number of serious maladies including bullet fragments in her back. She does not drive and has

limited transportation options. The bus stop is four to five blocks from Ms. Ware's house, and walking that distance takes her over an hour and causes immense pain. Rides by car are unreliable for Ms. Ware.

The nearest License Commission—where Ms. Ware would have gone to get an ID—was not in walking distance of her home, and a ride can cost \$20—a significant amount for someone with Ms. Ware's fixed income. Ms. Ware was finally able to get a ride to the Board of Registrars where she attempted to get the free voter ID card. However, she was wrongly denied the ID by a staff member who had been improperly trained and told her that because she had an ID in the past, she was ***ineligible*** for the voter ID card despite her current circumstances.

Finally, after becoming a plaintiff with GBM in the litigation challenging HB-19, Ms. Ware's attorneys arranged for the Secretary of State office's mobile unit to visit her home during her deposition. She had never heard of the mobile ID unit prior to the litigation.

The unit's process was deeply flawed and faced many technical issues when attempting to issue Ms. Ware an ID. Ultimately, it took over an hour to issue Ms. Ware a temporary ID, and she had to wait for the permanent ID to be mailed to her. This process clearly cannot be replicated for the thousands of people in Alabama who do not have ID or reliable transportation to get to a Board of Registrars. Had Ms. Ware not been a plaintiff in the lawsuit, it is unlikely she would have ever been able to obtain the required ID.

The late Debra Silvers was an African-American registered voter and another plaintiff who was unable to replace her photo ID after a house fire destroyed both her ID and the underlying documents because she would need to replace it.

To begin replacing the documents lost in the fire, Ms. Silvers had to pay for rides to various government agencies, each trip costing her \$15 to \$20. Ms. Silvers paid over \$100 in costs and transportation before getting a temporary non-driver ID. These costs were especially substantial given Ms. Silvers had just lost everything in the fire and was in the process of rebuilding her entire life. Ms. Silvers was in such dire straits that she required the Red Cross to house herself and her children.

Once Ms. Silvers had obtained a temporary non-driver ID, she attempted to vote in March 2016 but was turned away because the poll worker could not see the picture on the temporary ID. HB 19 directly prevented Ms. Silvers from exercising the franchise.

Alabama's Photo-ID Law is the new poll tax, but the reason for its existence is the same as the old one.