



## Suit slams voter ID law

Plaintiffs assail Ga. requirement as illegal 'poll tax'

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Voting and civil rights groups launched a legal assault Monday on the state's requirement that Georgians show a government-issued photo ID at the polls — a law they call the most restrictive of its kind in the country.

A federal lawsuit filed on behalf of two African-American voters, the American Civil Liberties Union, NAACP, League of Women Voters, black legislators and others calls the new law a "poll tax" that will rob black, elderly and rural people of their right to vote.

Supporters of the new law condemned the suit, arguing that the law will eliminate the likelihood of fraud at the polls. House Speaker Glenn Richardson (R-Hiram) called it a "ludicrous lawsuit."

"This lawsuit is nothing more than liberal special interests using unconscionable scare tactics to frighten Georgia voters," Richardson said.

While long expected, the suit raises the stakes of a debate that has raged since last winter's session of the Legislature. The suit won't affect today's special elections in Cobb County and elsewhere, but opponents hope a judge throws out the law before elections being held in November in many Georgia cities.

"There is no place for a voter-suppression law," said Tisha Tallman, regional counsel for the Mexican-American Legal Defense and Educational Fund and an attorney for the plaintiffs. "The case against House Bill 244 is strong, and we intend to prevail in court."

The law, which went into effect earlier this year after approval by the Legislature and Gov. Sonny Perdue, requires voters to show one of six forms of government-issued photo identification, such as a driver's license. Previously, Georgians could show one of 17 forms, including a Social Security card or utility bill.

Although Georgia is one of five states requiring voters to show photo IDs, its law has been called the most restrictive because other states allow photo IDs that are not issued by the government, such as work badges.

The U.S. Justice Department, which must review changes to Georgia voting laws to ensure that minority rights are not infringed upon, approved the new law in August. But the suit argues that the law violates the federal Voting Rights Act and Civil Rights Act by placing obstacles to voting.

"The new photo ID requirement ... imposes an unnecessary and undue burden on the exercise of the fundamental right to vote on hundreds of thousands of citizens of Georgia who are fully eligible, registered and qualified to vote, but who do not have Georgia driver's licenses, passports, or employer ID cards or other forms of photographic identification issued by the state or federal government," according to the lawsuit.

The lawsuit contends the requirement's true purpose is to suppress "voting by the poor, the elderly, the infirm, African-American, Hispanic and other minority voters by increasing the difficulty of voting."

The suit cited Secretary of State Cathy Cox's testimony that during her nine years in office, she has not documented a case of voter fraud at the polls by people pretending to be someone they are not.

The lawsuit also alleges that requiring Georgians to pay for a state identification card constitutes a poll tax that is outlawed under the 24th Amendment to the U.S. Constitution. In addition to the \$20 to \$35 fee for an ID card, there are also travel costs associated with getting an ID card, since only 56 of Georgia's 159 counties offer them at Department of Driver Services offices.

The new law waives the ID fee charged to indigent voters, and the state is sending a bus around Georgia to issue free IDs to those who need them. But the lawsuit said the definition of indigent is vague and does not take into account travel costs.

Two African-Americans are named as plaintiffs: Tony Watkins of Rome and Clara Williams of Atlanta. The lawsuit states that both do not have a picture ID and "cannot readily obtain a photo ID card." Watkins declined to comment Monday, and Williams could not be reached.

African-American voters are disproportionately affected because census data indicate they generally earn less than whites and are three times less likely to have access to a car, the lawsuit alleges. The lawsuit also notes that the new law allows voters to cast an absentee ballot without showing photo ID.

Rep. Sue Burmeister (R-Augusta), who sponsored the bill, said Georgians have to show photo IDs all the time.

"I don't even see what their argument is," Burmeister said. "It's not about race. It's not about age."

The suit was filed as a federal commission headed by former President Jimmy Carter called for Americans to be required to show a photo ID card to vote by 2010, in part to establish a national standard. Carter called the Georgia statute a "disgrace to democracy."

"If you read the Georgia law that was passed this year, you see that it is highly discriminatory and, in my personal experience, directly designed to deprive older people, African-Americans and poor people of a right to vote," he said.

Staff writers Bill Rankin and Eunice Moscoso contributed to this article.