



Let me tell you a story. It's called, "The Garcia Family Tries to Vote in Virginia."

Jose and Maria Garcia are a married couple with two young children. Both Jose and Maria have minimum-wage jobs. Because of rent increases, they have had to move from apartment to apartment within their low-income neighborhood. Eventually they had to move in with Jose's parents, Francisco and Elena Garcia. The family uses public transportation to get around. They can't afford childcare, so Elena Garcia takes care of the children while the others go to work.

Maria has gotten permission from her employer to come in late on election day so that she can vote before work. She won't be paid for this time off. So Maria arrives at the polling place shortly after it opens and presents her U.S. passport for identification. To her surprise, the election official will not give her a ballot. He rejects her ID because the name on the passport does not match the name on the poll book. Maria explains that she obtained her passport when she was single, so the name on the passport is her maiden name. When she registered to vote, she was married, so the name in the poll book is her married name. The election official tells her that she can fill out a provisional ballot, but it won't be counted unless she provides the registrar with proof of her identity by fax, email, commercial delivery, or in person by noon the following Friday. Maria does not have access to a computer or fax machine, and she cannot afford to take more time off to go to the registrar's office or the UPS store.

Jose and his father, Francisco, go to the polling place during their lunch breaks. When it's Jose's turn, the election official cannot find his name in the poll book and refuses to let him vote. Unbeknownst to Jose, his name had been purged from the voter registration records several years ago. Virginia had cross checked its voter database against Maryland's voter database and identified Jose Garcia as being registered in both states. The Virginia registrar had mailed a notice to Jose requesting verification of his residence, but because he and Maria had moved several times, he had never received the notice.

Francisco hadn't voted for many, many years, but he was excited about the candidates this time. However, Francisco is turned away, too. His name had been removed because he had been convicted of a felony when he was a young man. He had stolen a watch to pawn for cash so that he could buy food for his family during a period of unemployment. In Virginia theft of property over \$200 is a felony, and felons are permanently disenfranchised unless the governor restores their voting rights. Francisco had completed his probation and had never been in trouble with law again, but he had not petitioned the governor to get his voting rights restored.

Maria, Jose, and Francisco return home after work. Now Elena Garcia can leave the children to go vote. She has to take the bus because the polling place in her neighborhood was eliminated. When she approaches the polling place, she finds herself waiting in a long line of people who have stopped to vote after work. She waits for more than an hour and is still far back in the line. It's getting dark, and the buses will stop running soon. Elena has to leave or she will not have transportation to get back home.



The Garcia family will have to expend a lot of time and effort to remove all the obstacles preventing them from voting. They are frustrated and not very motivated to vote in future elections. They probably won't bother except to vote during presidential election years. But those are the most important elections, right? Wrong! The Garcias will miss the opportunity to vote for their state-level representatives—the ones who will make critical decisions that affect their daily lives, such as whether to raise the minimum wage or expand health care coverage for low-income people.

As you can see, there are many ways to suppress voting rights. And the Republicans in Virginia have used them all. Even though the story is fictional, the scenarios are all too real.

PHOTO ID

As the story shows, Republicans enacted a law in 2013 requiring a photo ID to vote at the polls in Virginia.

The courts struck down voter ID laws in other states, but Virginia's law survived a legal challenge. The difference is that Virginia accepts photo IDs issued by any government agency, by a school located in Virginia, or by an employer. In contrast, the acceptable IDs in other states blatantly favored one type of voter over another. For example, in Texas, a student ID was not accepted, but a license for a concealed handgun was just fine. In North Carolina, a driver's license was good, but not a public assistance card.

Virginia also offers free voter photo IDs, which seems reasonable but isn't as easy as it sounds. You have to go to the registrar's office to apply for the ID. Each county has only one office, which presents transportation obstacles. And the office is open only limited weekday hours, which means most people have to take time off work.

DATABASE MATCHING

In the story Jose Garcia was the victim of database matching. States cross check their voter databases against other databases, such as the Social Security Administration and the Department of Motor Vehicles. The purpose is to purge voter registration records of ineligible voters, such as people who have moved or died. In addition, some states, including Virginia, share their voter registration databases and cross check them against each other to identify people who are registered to vote in more than one state.

The problem is that database matching is prone to errors. The error rate is close to 30% when the Social Security database is cross checked against voter databases. And Social Security admits that it erroneously declares 14,000 people dead each year. The Pew Research Center estimates that 24 million voters have mismatched names, addresses, signatures, or clerical errors on their voter registration forms that could cause their names to be deleted from voter rolls.

DISENFRANCHISEMENT OF FORMER OFFENDERS

As Francisco's story illustrated, people convicted of a felony in Virginia are removed from voter registration records.



The state constitution permanently disenfranchises citizens with past felony convictions. Because African American men are disproportionately represented in the criminal justice system, this policy impacts them the hardest. One in 13 African Americans nationally, and 1 in 5 in Virginia are not allowed to vote because of prior felony convictions.

However, the state constitution also gives the governor the right to restore voting rights to former offenders. In April of 2016, the Democratic governor signed an executive order restoring voting rights to convicted felons who had served their sentences (approximately 200,000 people). Three months later the Virginia Supreme Court ruled that the blanket executive order was unconstitutional. In response, the governor started restoring voting rights on an individual basis. By April 2017, he had signed 156,000 individual orders. Continued restoration depends on the discretion of whoever is elected governor in November 2017.

REDUCTION IN NUMBER OF POLLING PLACES

Closing polling places is another way to indirectly deny people the right to vote, which is what happened to Elena in the story.

Fewer polling places means voters have to travel greater distances to vote. Low-income people who rely on public transit are deterred from voting.

When the number of polling places decreases, each polling site services more people, which means longer lines. Lots of people, such as parents who can't afford childcare and people who can't afford to miss work, just can't stay in line for hours waiting to vote.

One study analyzed some of the counties that have historically discriminated against minorities and found widespread poll closures. As an example, a county in Arizona that is 30% Latino went from 50 polling places down to 18.

The study did not include Virginia, but long lines were reported in the 2012 election. One report stated 30% of voters waited in line 30 or more minutes. In Prince William County (which is 40% black and Hispanic), several precincts reported 2-hour wait times, and one precinct had voters waiting up to 5 hours after the polls closed to cast their ballots.

NO EARLY VOTING AND RESTRICTED ABSENTEE BALLOT VOTING

Those long lines and transportation obstacles could be avoided if people could vote early or vote by absentee ballot.

Guess what . . . Virginia does not allow early voting. And it doesn't allow absentee voting without an excuse. The state has a list of valid excuses. And voters have to apply for an absentee ballot every time there is an election.

OFF-YEAR ELECTIONS

In the story, the Garcias are so frustrated that they decide to vote only in major election years. Republicans use that voter fatigue to their advantage.



Virginia's timing of state-level elections favors Republicans. Presidential elections are held in even-numbered years. In Virginia, elections for state-level offices are held in odd-numbered years. They do this because voter turnout is much lower in non-presidential election years and because Republicans are about 20% more likely than Democrats to vote in those off-year elections.

In Virginia voter turnout in the last three presidential elections was over 70%. In state elections that included a governor's race, voter turnout was at the 40% level. And in elections for house delegates only, the turnout was an abysmal 29%. Most people know nothing about their state representatives and don't bother to vote, but the Republicans are better at getting out the vote in less exciting elections.