

Western New England University

## Digital Commons @ Western New England University

---

Media Presence

School of Law Faculty Scholarship

---

10-15-2015

### Alabama's DMV Closures Reinforce Need to Restore the Voting Rights Act

Lauren Carasik

*Western New England University School of Law, Carasik@law.wne.edu*

Follow this and additional works at: <https://digitalcommons.law.wne.edu/media>



Part of the [Human Rights Law Commons](#)

---

#### Recommended Citation

Lauren Carasik, Alabama's DMV Closures Reinforce Need to Restore the Voting Rights Act, ALJAZEERA AMERICA (Oct. 15, 2015), <http://america.aljazeera.com/opinions/2015/10/alabamas-dmv-closures-reinforce-need-to-restore-the-voting-rights-act.html>

This Editorial is brought to you for free and open access by the School of Law Faculty Scholarship at Digital Commons @ Western New England University. It has been accepted for inclusion in Media Presence by an authorized administrator of Digital Commons @ Western New England University.

# Alabama's DMV closures reinforce need to restore the Voting Rights Act

*Impediments to voting for black communities show we still need protections*

October 15, 2015 2:00AM ET

by [Lauren Carasik](#) @LCarasik

On Sept. 30, Alabama announced plans to [shutter nearly half its driver's license offices](#), citing budget constraints. The decision came a year after the state implemented a new ID requirement to vote, purportedly to protect against voter fraud.

At least half a million Alabamans, or [20 percent](#) of the state's registered voters, lack a driver's license or alternative DMV-issued ID. As with the restrictive ID law, civil rights advocates say the closure of 31 DMV offices — disproportionately affecting poor, rural communities where black people make up a large share of the population — narrows access to IDs and, as a result, will disfranchise black voters. State officials insist that their [decision was not race based](#). Irrespective of intent, the move will suppress black votes.

The closures target communities that lack easy access to public transportation. Nearly 14 percent of black families do not own a vehicle, while only 4 percent of families are without private transportation. Of the 10 counties with the highest percentages of black residents, only two will have DMV offices. Unsurprisingly, the DMV closures affect 53 percent of the 15 counties that [voted for President Barack Obama](#) in 2012 and the five counties that voted most heavily Democratic in that election. Meanwhile, 40 offices will remain open in the 55 counties that [are predominantly white](#).

"I am particularly appalled by this decision, in light of the 50th anniversary of the Selma to Montgomery marches and the landmark Voting Rights Act of 1965,"

Rep. Terri Sewell, the state's only Democratic and African-American congressional delegate, said in an Oct. 5 statement [asking the Department of Justice to investigate](#). "It's utterly disappointing that my home state — the very state that launched the movement towards equality — is the same state that has become fertile ground for its demise."

State officials maintain residents can obtain a required ID for voting, including free cards, at the board of registrars in each of its 67 counties, the Statehouse and a mobile unit. But some residents live far from county seats. Despite [claims of easy access](#), only 5,294 IDs were issued last year and a paltry 1,442 so far this year.

"You can lead a horse to water, but you can't make him drink," Alabama Secretary of State John Merrill said earlier this month, [laying the blame at voters' feet](#) for not obtaining required IDs. The effect is already clear. In the wake of the ID requirement last year, Alabama's 41 percent [voter turnout during the midterm elections was its lowest](#) in nearly three decades.

States have proved they cannot be entrusted to protect the right of all citizens to vote. President Lyndon Johnson signed into law the landmark Voting Rights Act (VRA) in March 1965, six months after the haunting images of police brutality against nonviolent protesters on the Edmund Pettus Bridge in Selma, Alabama, on Bloody Sunday. But in 2013 a divided Supreme Court in [Shelby v. Holder](#) gutted the provision requiring states with a long history of discrimination to get preclearance from the federal government to amend their electoral laws. Tellingly, Alabama announced plans to [implement its 2011 ID law](#) just hours after the court ruled on the VRA. That and the subsequent DMV closures illustrate exactly why the VRA [must be restored](#).

## **A half-century after the Voting Rights Act was passed, black people in Alabama are once again fighting for their right to vote.**

In July the Center for American Progress Action Fund [ranked Alabama last](#) among the states in its "Health of State Democracies" report, giving it F

grades for accessibility of the ballot and influence in the political system and a D– for representation in state government. On Oct. 2, the NAACP Legal and Defense Fund [sent a letter](#) to Alabama officials warning that the DMV closures would create “a substantial and disproportionate burden on black people’s ability to participate in the political process in Alabama.” The group added that the restrictions constituted a likely violation of Section 2 of the VRA.

Alabama is hardly alone. Since the 2010 midterm elections, 21 states have [passed restrictive voting laws](#) — a small fraction of the number proposed. From 1965 to 2013, VRA preclearance requirements blocked an estimated [3,000 discriminatory voting](#) initiatives across the United States. Yet the fraud these discriminatory laws purport to remedy is extremely rare. From 2000 to 2014, an analysis of a billion votes nationwide turned up only 31 instances of [voter impersonation](#). But the [Government Accountability Office](#) has reported that restrictive ID requirements tend to suppress black votes.

ID requirements are not the only roadblock for minority voters. Other restrictions include efforts to curb early voting, ongoing felon disenfranchisement and curtailing voter registration drives. Such laws are not meant to protect the integrity of the vote; rather, they are intended to control who can exercise their rights and circumvent the electoral effect of the United States’ [changing demographics](#). Earlier this month, Democratic presidential candidate Hillary Clinton called the DMV closures in Alabama a “blast from the Jim Crow past.” She’s right: Tighter restrictions that [reflect racial bias](#) and affect black voting underscore the need for the VRA to protect the most fundamental of democratic rights.

Public outcry over the DMV closure announcement may have worked. On Oct. 13 officials in Alabama announced that they might [keep the offices open](#). But a federal oversight under the section of the VRA that the Supreme Court gutted could have prevented the adoption of both the ID law and DMV closure plan.

A half-century after the Voting Rights Act was passed, black people in Alabama are once again fighting for their right to vote. Alabama's restrictive photo ID requirement, combined with DMV closures that make IDs more difficult to obtain, will further disenfranchise black voters. That's why Congress needs to pass the [Voting Rights Advancement Act](#), which would mandate that states with a history of voting discrimination seek federal approval before making electoral changes, including enacting voter ID laws. Lawmakers should also modernize the U.S. electoral system with universal and [automatic voter registration](#) so that the voting rolls represent the full participation and diversity of the American electorate.

*Lauren Carasik is a clinical professor of law and the director of the international human rights clinic at the Western New England University School of Law.*

*The views expressed in this article are the author's own and do not necessarily reflect Al Jazeera America's editorial policy.*