

September 7, 2004

MAKING VOTES COUNT

Voter ID Problems in Florida

There is no excuse for turning away eligible voters at the polls, but that is what apparently happened in Florida's primary elections last week. Under Florida law, registered voters can vote without showing identification. But election officials at some polling places misstated the law and tried to keep eligible voters from voting. In one county, the official sample ballot got the law wrong. Officials in Florida, and nationwide, must improve their poll workers' training and written materials to ensure that this does not happen in the November election.

Florida's voter-identification law is inartfully written. It says photo identification is required at the polls, but it goes on to give voters without such identification an alternative: signing affidavits swearing to their identities. By that reasoning, Florida voters who show up without identification should be told that they can vote as long as they fill out affidavits. But that did not always happen last week.

In Broward and Miami-Dade Counties, poll watchers from People for the American Way saw voters being turned away after being told about half the law - the photo-identification requirement - but not the other half, the affidavit option. In some cases, said Elliot Minberg, legal director of People for the American Way, poll workers insisted on identification even when they were shown voting-rights leaflets citing the state election law. Some people may never have cast ballots because they were not informed that they had the option to file affidavits.

The misstatement of the law goes beyond a few bad poll workers. Osceola County's sample ballot, mailed out before last week's election, said "Photo and Signature ID Required at Polls," and it did not tell voters they could in fact vote without identification. Secretary of State Glenda Hood, who should be on the voters' side, instead backs this misleading summary of the law. Osceola County's statement is fine, says Jenny Nash, a spokeswoman for Ms. Hood. She said the affidavit option in the law was merely a "courtesy to the voter."

The misapplication of voter-identification laws is not limited to Florida. In South Dakota, Native Americans without identification were turned away in June, even though the law allowed them to vote by signing affidavits.

This fall, flaws in the enforcement of voter-identification requirements could disenfranchise a large

number of voters. Many people do not have photo identification, particularly the elderly, poor people and nondrivers. Others may not have such identification with them when they vote.

Someone who has waited in line for an hour or two, as could be the case in this fall's election, may not have the time or inclination to go home to get identification.

In the weeks leading up to Nov. 2, we will hear many times that all Americans should exercise their right to vote. Election officials have an obligation to do everything they can to ensure that when citizens show up, misapplied voter-identification rules do not prevent them from casting a ballot.

[Copyright 2004 The New York Times Company](#) | [Home](#) | [Privacy Policy](#) | [Search](#) | [Corrections](#) | [RSS](#) | [Help](#) | [Back to Top](#)