

THEY SHOULD HAVE JUST CALLED IT A POLL TAX

I'm grateful that a 3-judge panel just unanimously held that Texas' Voter ID law violates the Voting Rights Act. (See Ari Berman for background and Rick Hasen for analysis.)

But given this language of the decision (as cited by Berman), couldn't they have simply called it a poll tax?

According to undisputed U.S. Census data, the poverty rate in Texas is 25.8% for Hispanics and 23.3% for African Americans, compared to just 8.8% for whites. This means that the burdens of obtaining [voter ID] will almost certainly fall more heavily on minorities, a concern well recognized by those who work in minority communities.

...Undisputed census data shows that in Texas, 13.1% of African Americans and 7.3% of Hispanics live in households without access to a motor vehicle, compared with only 3.8% of whites.

... while a 200 to 250 mile trip to and from a DPS [Department of Public Safety] office would be a heavy burden for any prospective voter, such a journey would be especially daunting for the working poor. Poorer citizens, especially those working for hourly wages, will likely be less able to take time off work to travel to a DPS office—a problem exacerbated by the fact that wait times in DPS offices can be as long as three hours during busy months of the year. This concern is especially serious given that none of Texas's DPS offices are open on weekends or past 6:00 PM, eliminating for many working people the option of obtaining an EIC ["election

identification certificate"] on their own time. A law that forces poorer citizens to choose between their wages and their franchise unquestionably denies or abridges their right to vote. [my emphasis]

This is, for someone making minimum wage who would have to take a day off work, an \$80 fee to vote, or 6% of an entire month's wages. Even ignoring the problem with transportation (which involves additional costs), that is a significant burden for a working poor person, much less a senior living on a fixed income.

It's a poll tax. It's time to start calling poll taxes poll taxes again.