

Voter photo ID laws are good protection against fraud

By Kris Kobach, Published: July 13

A [Post editorial](#) last month criticized Kansas's Secure and Fair Elections Act, which was drafted by my office. The act requires that voters present photo identification when they vote in person, that absentee voters present full driver's license numbers and have their signatures verified, and that voters present proof of citizenship at the time of registration.

The June 22 editorial also criticized [other states](#) that moved in this direction during their 2011 legislative sessions. Wisconsin, Texas, Tennessee, Alabama and South Carolina adopted photo ID requirements; Alabama also enacted a proof-of-citizenship requirement for registration similar to Kansas's.

The editorial asserted that voter fraud is a "minuscule" problem and that I failed to show that any of the 221 incidents of voter fraud reported in Kansas between 1997 and 2010 resulted in convictions.

In fact, I presented this information to the Kansas legislature in January, and the numbers were extensively reported by the media. The 221 incidents of voter fraud included absentee ballot fraud, impersonation of another voter and other crimes. The vast majority of the cases were never investigated fully because Kansas county attorneys lack the time and resources to pursue voter fraud at the expense of other criminal investigations. Of the approximately 30 cases that were fully investigated, seven resulted in prosecutions. All seven yielded convictions.

The frequency of voter fraud in Kansas is not unusual. Unfortunately, voter fraud has become a well-documented reality in American elections.

The editorial [cited figures](#) from New York University's Brennan Center comparing the number of reported cases of voter fraud in a state to the number of votes cast in the state. Not surprisingly, the percentages are small.

But such use of these statistics is fundamentally flawed. First, most forms of voter fraud are extremely difficult to detect. We see only the tip of the iceberg; the number of instances is likely to be much higher than the number of reported cases. Second, asking what percentage of votes were cast illegally misses the point. The relevant question is: Does the number of illegal votes exceed the margin of victory in a particular race? All too often, the answer is yes.

One of the most brazen cases of voter fraud occurred in a state representative race in Kansas City, Mo., last year. It was a Democratic primary between [J.J. Rizzo and Will Royster](#) in a district where the victor was certain to win the general election. Rizzo received about 50 votes illegally cast by citizens of Somalia. The Somalis, who didn't speak English, were coached to vote for Rizzo by an interpreter at the polling place. Rizzo ended up winning by one vote.

In another example, an 18-month study by [Minnesota Majority](#) found that 341 felons in the Minneapolis-St. Paul area illegally voted in the 2008 election. Compared with the 2.7 million votes cast in the state, 341 seems insignificant. But after the recount of the U.S. Senate race between Norm Coleman and Al Franken, Franken's margin of victory was only 312 votes. The illegal votes cast by felons were not discovered until after the recount, making 341 an awfully significant number.

The editorial also cited a questionable [2006 survey](#) from the Brennan Center, using the claim that 11 percent of the U.S. population lacks a photo ID as a basis for concluding that hundreds of thousands of citizens lack photo IDs.

But we don't have to rely on such inaccurate estimates; actual numbers are available. According to the 2010 Census, there are 2,126,179 Kansans of voting age. According to the Kansas Division of Motor Vehicles, fully 2,156,446 Kansans age 18 and older have valid driver's licenses or non-driver IDs. In other words, there are more photo IDs in circulation than there are eligible voters in Kansas. It is simply incorrect to assert that there are tens of thousands of voters in Kansas, or any state, without photo identification.

Photo IDs have become ubiquitous and unavoidable. You can't cash a check, board a plane or drive without one. That is why it's not unreasonable to require picture identification to protect our most important privilege of citizenship. And just in case a voter lacks a photo ID, Kansas's legislation requires that he or she be given one free of charge.

Photo ID requirements are a reasonable way to secure our elections. It's absurd to suggest that anyone is "disenfranchised" by such protective measures.

More states are moving to ensure the integrity of our voting process by requiring photo IDs, not as part of a devious plot to discourage voting, but because voter fraud is a real problem. And it's a problem that voters want solved.

According to a 2010 SurveyUSA poll of 500 Kansans, 85 percent supported photo ID laws. Fortunately, state legislators are listening to their constituents, not the Brennan Center, on this question.

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