

# **EXHIBIT 11**

Brian Davis  
Northeast Ohio Coalition for the  
Homeless  
3631 Perkins Ave. #3A-3  
Cleveland, Ohio 44114  
216/432-0540  
[www.neoch.org](http://www.neoch.org) [briandavis@neoch.org](mailto:briandavis@neoch.org)

## **Written testimony submitted to the Ohio Senate November 2013—Opposition to SB 238 and the attempt to limit early voting and eliminate “Golden Week.”**

Members of the Ohio Senate

The Northeast Ohio Coalition for the Homeless does extensive work on voting in Greater Cleveland and we have worked to register and encourage homeless participation since our founding in 1988. We challenged the 2005 voter identification rules in federal court and have settled with the State in 2006, 2008, 2010 and 2013 regarding the counting of provisional ballots and the use of identification for in person voting. We believe that every Ohio citizen has a right to vote even those struggling to maintain stable housing, those living in homeless shelters on Election Day, and those who have their identification stolen while waiting for a shelter bed in Ohio. In 2012, NEOCH staff registered 670 people to vote, and worked with every shelter to encourage completing a change of address for the Board of Elections upon entry. We distributed 4,000 blank registration forms in 2012 to all the shelters and homeless housing programs. We drove vans to the Board of Elections on the day that early voting started all the way through Election Day of 2012. NEOCH staff assisted 240 people vote during the week Ohioans can register and vote at the same time, which is affectionately referred to as “Golden Week. Of the 324 homeless people that NEOCH registered in 2012, 93% of those individuals actually voted. An amazing 77% (231 of our 301 voters) took the opportunity to vote on the Saturday, Sunday or Monday before Election Day 2012. It is for these reasons that we oppose any shortening of early voting or eliminating Golden Week or eliminating weekend voting. Voting early in Ohio is popular and for those struggling with housing or trying to find their identification, Golden Week is important.

The right to vote is the foundation of democracy in this country, and any legislation that constructs artificial barriers and prevents legitimate voters from casting a ballot needs to be cast into the dustbin of history with literacy tests and Jim Crow laws. The voting laws in Ohio have repeatedly been changed over the last decade without input from the minority party in the legislature, and this has resulted in lawsuits, confused directives to the local boards, confusion and long lines on Election Day, and potential voter initiatives. The voter ID laws made it difficult for students, the elderly, and immigrants to vote. Many groups, including unions that represent immigrants, the League of Women Voters, and anti-poverty groups sued the state over these identification changes. The State largely had to settle with all of the groups and was required to repeatedly issue directives to the 88 counties clarifying and correcting the law. The value of Golden week is that those who struggle with identification can register and vote at the same

time, and the Board of Elections has 30 days to verify if this individual is a legitimate voter in Ohio. Early voting helps urban counties to reduce long lines that we saw in 2004 in Ohio. Weekend hours especially in busy urban areas of Ohio are critical to allow those who cannot take off work or those who do not have stable access to mail can vote.

Legislators do not seem to understand the hardship they are placing on voters. It is not easy to obtain identification in a post 9/11 era. It is costly and many jurisdictions around the country make it nearly impossible to obtain the basis of all ID—the birth certificate. Allowing 35 days to vote and that overlap for Golden Week allows low income people to participate. Very low income citizens move their primary residence a great deal, and since the housing crisis swept the United States, this has only exacerbated the displacement of low income residents. Homeless people have an especially difficult time proving their residency since most of the acceptable forms of identification are tied to where you live. These initiatives to limit access to early voting are a thinly veiled attempt to limit access to the ballot box by one party for members of the voting population who do not support that party. This is the tyranny of the majority gone wild to institute a modern “poll tax.” It is not surprising that these laws will have a disproportionate impact on urban communities in which the majority party in the Ohio legislature typically does poorly.

Senate Bill 238 and the other changes proposed by the majority party will have the effect of suppressing the vote, especially for homeless people, minority populations, the elderly, naturalized citizens, students, and those trying to rebuild their lives after release from incarceration. Legislators do not seem to understand the expense of obtaining identification and length of time that it takes to obtain a birth certificate from some communities. The ability to obtain a birth certificate can take many months and there can be a significant financial barrier that will then prevent a citizen of the United States from legitimately casting a ballot. We have a staff person at our office, born at his parents’ home in Cleveland, and the hospital where he received his first check up has long since closed. He was told that he would need to go to court and hire an attorney to get a certificate of live birth since the City of Cleveland cannot find his birth certificate. Since the attacks on September 11, states have clamped down on issuing birth certificates and some make it nearly impossible to get a copy of one’s own birth certificate.

Cleveland, Ohio has an organized identification program to assist those experiencing homelessness with obtaining birth certificates and state identification. The social service providers in Cleveland find that 45% of those utilizing the shelters do not have a state issued identification as a result of theft or loss in the move from housing to shelter. Low income and homeless people move frequently making it hard to vote by mail. In Cleveland, we focus our organizing efforts on “Golden Week” to make it easy for homeless people to vote without having to show identification. One fourth of our homeless population are veterans. In 2012, we drove a Viet Nam era veteran during Golden week who had never voted in his life. He decided to go vote because “his buddies” were all going. He was amazed how easy it was and the local Board of Elections helped him to register using his shelter address as his residence during Golden Week.

NEOCH is a non-profit charitable organization operating in the City of Cleveland with a mission of amplifying the voice of homeless people. We administer a number of programs that serve homeless people including a public education program, a street newspaper, and a legal assistance program. We see 23,000 homeless people in Cleveland and nearly one-third of the population needs help with obtaining identification. In Cleveland, the shelters registered 511

people in the summer of 2012 using a shelter address. There were at least another 500 who use another residence (besides the shelter) to receive mail or quickly find housing and change their voting address before Election Day. On Election Day 2012, there were 2,300 people registered in Cleveland using a shelter address. There were another 368 registered at the Permanent Supportive Housing units in Cleveland.

No matter if you are homeless or housed it is not easy to get identification in the post-September 11<sup>th</sup> world. Those who wander from shelter to family member's houses then to the sofas of friends have an even more difficult time. The birth certificate is the basis for all forms of identification. There is no national standard for the issuing of a birth certificate, and a few states make it nearly impossible for a homeless person to get a legitimate copy of their own birth certificate. In our collaboration with service providers in Cleveland, we can demonstrate nightmare scenarios in which homeless people wait six, eight or ten months to receive a birth certificate. The assistance with obtaining a birth certificate is expensive and for many takes a great deal of time to finally receive a legitimate form of identification. There is no standard in the fee for a birth certificate or standard for the time required for another state to respond. A son or daughter born on a military base or a U.S. citizen born in Puerto Rico has a nearly impossible task just to get identification. For some it is easier to travel to their place of birth in order to retrieve a birth certificate, but that is certainly prohibitive for homeless people. This delay makes it difficult to find housing, a job, receiving assistance, and since 2006 has made it difficult to cast a ballot in-person in Ohio on Election Day.

Our government should not penalize people for being poor or having to flee a domestic violence situation with making it harder to vote by limiting the early voting window. We picked up a woman who had relocated because of Domestic Violence in October 2012. She left with her children and the clothing on her back and without identification. She could not safely leave her house with her identification, and because she was born in a community like New York City or Illinois or California which make it difficult to obtain your own birth certificate would not have time to retrieve a new birth certificate from her birth state before Election Day. She is certainly made to feel punished by the State for seeking safety without identification, and these new laws will only complicate this woman's life at a low point in her life. She wants to change her voting address to a safe location during the last week of the registration deadline, and the state should not take that away from her.

Overall, these changes in legislation put unnecessary roadblocks between those experiencing homelessness and those casting a ballot. From previous election experience, we see these new voting laws will result in long lines in minority and low income neighborhoods, confusion by the voting public, thousands of voters forced to vote a provisional ballot where in some counties are rarely counted, and the percentage of voters decreasing because it is too much of a hassle. It punishes the low income worker who cannot take off time during normal business hours to vote. These potential rules punish active duty military who will have less time to vote and may not be available to vote in person on Election Day. There are many in the State who want to vote in person and do not consider voting by mail as the same as voting in person. We have made it so difficult to vote on Election Day with identification, precinct changes or reductions, and a history of long lines in Presidential elections. We need as many early voting days as possible to maintain access to the ballot box in every election in Ohio.

If we value democracy in America, then we should do everything we can to encourage voting and make it as easy as possible. This may mean paying for the postage across the United

*Northeast Ohio Coalition for the Homeless*

*Voting*

States to mail in your ballot. We should provide free rides to the elderly to get to polling sites in rural communities, and not suppress the vote by punishing urban communities for having as many hours as possible available at the one polling location to vote early. The large counties need more time to vote because we are forcing everyone to go to one location for early voting, and there are just not enough room in most urban Boards of Election to accommodate everyone interested in early voting. We saw lines of two hours in 2012 on the last weekend of early voting proving that Ohioans really want to vote and really like early voting. On the Saturday and Sunday before Election Day 2012, Cuyahoga County had lines of 45 minutes to one hour. We had lines out the door during the 2008 Presidential election even though we had an efficient and highly trained staff at the Cuyahoga County Board of Elections. We needed more time for early voting locations and a bigger campaign to encourage voting by mail. Limiting early voting in Ohio will only result in longer lines in Cleveland, Columbus, Youngstown, Dayton and Toledo.

Moreover, these voting changes make it difficult for homeless people who are forced to move frequently to participate in the selection of elected officials who may in the future take the lead in solving the housing crisis in America. We urge the Senate to reject SB 238 and develop policies on a bipartisan basis that make it easier for Ohioans to participate in voting. We appreciate your consideration of this testimony, and the work that you have already done to protect the civil rights of everyone in Ohio.

Sincerely,

Brian Davis  
Director of Community Organizing  
Northeast Ohio Coalition for the Homeless  
Cleveland, Ohio  
[www.neoch.org](http://www.neoch.org)