

Evidence suggests that state legislators are working to restrict access to the vote in response to minority turnout

*In the past two elections there has been a dramatic increase in the number of restrictive voting laws passed at the state level. Support for these laws tends to break along party lines, with Republicans claiming these laws are needed to defend against voter fraud, and Democrats arguing that it is actually a form of voter suppression. In their recent research, **Keith Gunnar Bentele** and **Erin O'Brien** show that these proposals tend to be introduced in battleground states after periods of increased voter turnout among minority and low-income groups and are passed more frequently under Republican-controlled state legislatures.*



Last week Ohio's Republican Secretary of State announced the state would **no longer offer early voting on Sundays or weekday evenings**. This comes on the heels of **recent bills passed** by the Ohio legislature which reduced early voting, eliminated a week during which Ohioans could both register and vote, and made it more difficult to vote by absentee ballot. All of these bills passed along party lines, with Republicans voting in favour and Democrats against. These developments are just the most recent in a veritable flood of new laws passed in the last couple of years that limit access to the polls in various ways. Most common are laws which require would-be voters to show specific kinds of photo identification before they can vote, reduce early voting, repeal same-day voter registration, increase regulation of organizations and individuals who aim to register new voters, and make absentee voting less accessible. Studies show that such measures have the potential to dissuade or disenfranchise significant numbers of voters. Further, minorities, young people, and the very old are especially likely to be hampered. Since these groups disproportionately vote for Democrats, the new restrictions have the potential to impact election outcomes.



Between 2006 and 2010, states passed a total of 18 restrictive changes to state voting laws. Within the years of 2011-2013 alone, various states have passed roughly 70 restrictive changes while over 300 restrictions were proposed. What explains this dramatic shift toward restriction of voter access? On the left, voter identification laws are viewed as thinly veiled attempts by Republicans to depress turnout among Democratic-leaning constituencies, such as minorities, new immigrants, the elderly, disabled, and young. On the right, these laws are viewed as a bulwark against electoral fraud and a means of preserving electoral legitimacy. In **our recent research**, we examined the dominant explanations (and accusations) advanced by both the right and left, as well as the factors political scientists know are important for understanding state legislative activity.

In practice, it is not possible to study the personal motives of state legislators who propose or vote for hundreds of pieces of legislation across many states. But we can systematically explore the patterns and timing of legislative activity in states with different social characteristics and political histories. In other words, we can assess what types of states have been more or less active in proposing and passing voter restrictions. We did precisely this type of analysis for state-level voting laws proposed and legislation actually passed from 2006 to 2011 (the proposed and passed restrictions are shown in Figures 1 and 2).

Figure 1: Proposed Restrictive Voter Provisions: 2006-2011



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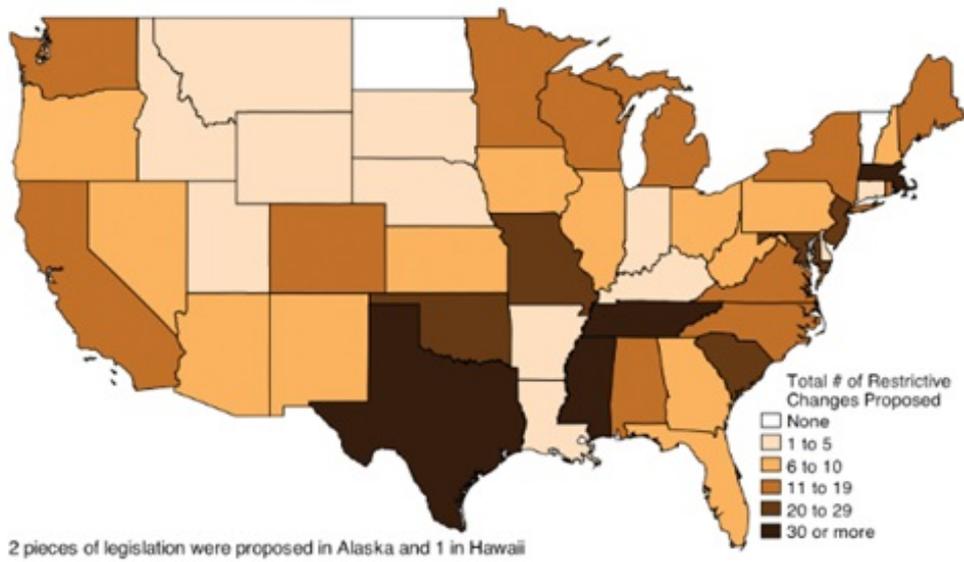


Figure 2: Passed Restrictive Voter Provisions: 2006-2011

proposed restrictions. Consequently, the accessibility of elections across states is currently in a remarkable state of flux, with elections becoming more and less accessible depending on which party is in charge. Moving forward the future of voting rights in the U.S. will be shaped by the ongoing political contest between the Republican and Democratic parties. At the same time, this contest itself will be influenced by the continuing political and legal struggles over access to the ballot.

*This article is based on the paper “[Jim Crow 2.0? Why States Consider and Adopt Restrictive Voter Access Policies](#),” which appeared in *Perspectives on Politics*.*

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