

For Immediate Release  
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## **Pennsylvania's Voter ID Law Found Unconstitutional**

### **Tele-Press Conference at 11:30 AM TODAY**

Harrisburg, Pa. – Commonwealth Court Judge Bernard L. McGinley issued an order today permanently blocking the controversial photo identification law that threatened to disenfranchise hundreds of thousands of voters. His ruling can be appealed by the commonwealth.

**Lawyers for the petitioners will discuss the today's ruling on a tele-press conference at 11:30 a.m. today (call-in information below).**

"Today was a good day to be a Pennsylvania voter," said Michael A. Rubin of Arnold & Porter LLP, a member of the plaintiffs' legal team, which also includes the Public Interest Law Center of Philadelphia, the ACLU of Pennsylvania and Advancement Project. "In striking down this law, the court recognized that constitutional rights, especially the most fundamental right to vote, protect us from the government and cannot be taken away on the whim of that government."

In his opinion, Judge McGinley stated that the voter ID law "does not pass constitutional muster because there is no legal, non-burdensome provision of a compliant photo ID to all qualified electors." He reasoned that the commonwealth's so-called DOS ID "is fraught with illegalities and dubious authority." And, most importantly, he found that as to the "[h]undreds of thousands of electors in Pennsylvania [who] lack compliant photo ID, . . . [e]nforcement of the Voter ID Law as to these electors has the effect of disenfranchising them through no fault of their own. Inescapably, the Voter ID Law infringes upon qualified electors' right to vote." He also stated, "Disenfranchising voters through no fault of the voter himself is plainly unconstitutional."

Pennsylvania's voter ID law, which was passed by the state legislature and signed by Governor Corbett in March of 2012, was one of the most restrictive in the nation and did not allow many commonly used identification cards for voting. Most voters would have been forced to travel to one of only 71 Pennsylvania Department of Transportation locations to obtain state-issued identification. The law especially burdened the elderly, those with limited mobility and disabilities, individuals with fewer resources and the homeless.

"All the evidence in the case pointed to hundreds of thousands of registered Pennsylvania voters who do not have IDs. The state is simply unable to get ID into the hands of all the people who needed it. As voter turnout continues to hit record lows, we need to make sure we do everything we can to increase participation, not deter it," said Jennifer Clarke, executive director of the Public Interest Law Center of Philadelphia.

The court's decision comes after more than 18 months, three trials and a preliminary injunction which prevented the law from going into effect. The state's expensive and confusing education campaigns have caused extensive confusion for voters over the last year and a half.

In 2012 the commonwealth stipulated that it had no evidence of even a single case of voter fraud in Pennsylvania.

"The only fraud uncovered in this case is the ID law itself, which is exposed as a voter suppression tool adopted to game elections," said Witold Walczak, legal director of the ACLU of Pennsylvania.

If the commonwealth and the governor decide to appeal this decision to the Pennsylvania Supreme Court, the plaintiffs' legal team will continue to advocate on behalf of voters through the appeals process. Plaintiffs include the NAACP Pennsylvania State Conference, the Homeless Advocacy Project, the League of Women Voters of Pennsylvania and individual voters.

"This ruling is a victory for all those who believe that in a democracy, elections should be free, fair and accessible to all people," said Advancement Project Co-Director Penda D. Hair. "Hundreds of thousands of Pennsylvania citizens who lack one of the limited forms of acceptable photo ID can now cast their ballots without burdensome obstacles. By protecting voting as a fundamental right, today's decision affirms that all Pennsylvania voters should have the opportunity to participate equally in the democratic process."

The order can be viewed in full here: <http://www.aclupa.org/our-work/legal/legaldocket/applewhite-et-al-v-commonwealth-pennsylvania-et-al/>

**WHAT:** Tele-press conference on today's order permanently blocking enforcement of voter ID law

**WHO:** Attorneys for the plaintiffs:  
Michael Rubin, Arnold & Porter  
Marian Schneider, Advancement Project  
Ben Geffen, Public Interest Law Center of Philadelphia  
Witold Walczak, ACLU of Pennsylvania

**WHEN:** Friday, January 17, 2014, 11:30 a.m. ET

**CALL-IN INFO:** (800) 230-1059; Conference name: Voter ID  
Conference ID: 316899

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