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Contact:

Timothy Rusch, Demos/NVRI, (212) 389-1407

Charles Jackson, ACORN, (504) 943-0044 x165

Jon Greenbaum, Lawyers' Committee, (202) 662-8315

Ohio Ignores Requirements of Thirteen Year-Old Federal Voter Registration Law

Voting Rights Groups Send Letter Outlining Noncompliance to Secretary of State Ken Blackwell, Lawsuit Possible This Summer

Columbus, OH—Ohio's noncompliance with a federal voter registration law could land the state in legal jeopardy, according to a letter sent by several national voting rights and election reform organizations to Secretary of State Kenneth Blackwell. In the letter, dated May 12, 2006, Blackwell was warned that Ohio's continuing failure to comply with a 13-year old federal law that requires states to offer voter registration to its low-income citizens could lead to a lawsuit. A prominent national law firm has already taken the first step in initiating litigation against the state.

The National Voting Rights Institute, the Lawyers' Committee for Civil Rights Under Law, Project Vote, and Dechert LLP, sent the letter to Secretary of State Kenneth Blackwell on behalf of the Ohio chapter of ACORN. This "notice letter" advised Secretary of State Blackwell that Ohio "is blatantly disregarding its obligations" under the National Voter Registration Act (the NVRA). The letter is intended to provide the Secretary of State with a final opportunity to bring Ohio into compliance before the initiation of litigation to enforce the law.

The NVRA, commonly known as the Motor-Voter law for its requirement that states provide voter registration opportunities when residents apply for drivers' licenses, contains a less well-known requirement that voter registration must be offered during most transactions at public assistance agencies. Congress included this provision to ensure that those who do not visit motor vehicle departments still have an opportunity to register to vote. Citizens with low incomes are among those least likely to have drivers' licenses and therefore the public assistance requirement is crucial to include them in the political process. It is the public assistance aspects of the law that Ohio has ignored.

"For much of the past decade, Ohio has ignored federal election law that aims to bring more Americans into the electoral process. The state's disregard for the law and the civil rights of low-income Ohioans is appalling," stated Lisa Danetz of the National Voting Rights Institute.

Added Jon Greenbaum, Director of the Voting Rights Project at the Lawyers' Committee, "This is a clear-cut violation of the law. If the Secretary of State's office does not remedy the problem swiftly and completely, we will ask a federal court to do so."

Three independent sources of information confirm Ohio's failure to provide its low-income citizens with the opportunity to register in compliance with federal law.

- A report provided to the Secretary of State in February 2006 documented that none of Ohio's six largest counties is in compliance with the public assistance aspects of the NVRA. For example, offices of the Department of Jobs and Family Services in five of the six counties did not have any voter registration forms; the sole office that had the forms had relegated them to an unused corner of the office, without any signs advising assistance applicants of the right to register to vote, and the clerk did not even know the forms were there, much less provide the requisite assistance in completing them.
- Interviews that Ohio ACORN conducted this past winter outside public assistance agencies in Ohio's three largest counties revealed that virtually no individuals were offered the opportunity to register.
- Ohio's own statistics for the period 2002-2004 indicate that all of Ohio's public assistance agencies collectively registered only 38,821 voters out of a base of almost 8 million registered voters. By contrast, Ohio had more than 4.7 million initial applications and recertifications for Food Stamps (each of which should have been accompanied by voter registration services), and that is just one of many public assistance programs at which voter registration services must be offered.

Katy Gall, from Ohio ACORN, stated, "Low-income people in Ohio shouldn't have to jump through additional hoops simply to secure their right to vote. Our surveys outside public assistance offices showed that virtually no one had been given the opportunity to register."

The current endeavor in Ohio developed out of the work of the NVRA Implementation Project, an effort by the non-profit organizations Demos, ACORN and Project Vote to ascertain and enhance states' compliance with the NVRA public assistance requirements, and out of efforts to improve implementation of that provision of the law with the legal expertise and resources of the Lawyers' Committee and NVRI. In several states, assistance provided by the Project has led to huge increases in the number of low-income residents offered the opportunity to register to vote.

To view the letter sent to Secretary Blackwell, and for more information on NVRA and voting rights, visit www.demos.org.

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