



Cathryn L. Hazouri, Executive Director * Mark Silverstein, Legal Director

The Honorable Representative Nancy Todd
Chair, House State, Military & Veteran Affairs

Re: HB 1146

Dear Madame Chair:

The American Civil Liberties Union of Colorado oppose HB 1146 and asks committee members to vote no on this proposal.

If you recall, I appeared before this committee last week to oppose HB 1115 that would have required a photo ID to vote. This proposal is objectionable for the same reasons. To require proof of citizenship to register to vote will, undoubtedly, disenfranchise many Coloradans who are eligible to vote.

The vote is one of this nation's most cherished rights; it is a fundamental right and should not be denied to any citizen.

If the legislature burdens the exercise of a fundamental right, it must do so in the least restrictive manner. As you have heard from several sources, obtaining a government issued photo ID is impossible for some Coloradans and extremely difficult for many. Getting the underlying documents to prove US citizenship can takes months and certainly money, as it did for me. For others without my resources, the documents are out of their reach. For many Coloradans, the documents do not exist.

The elderly, minorities, low income, homeless and the disabled will bear the biggest burden under this bill. They will be unable to exercise their fundamental right. For what purpose? To stop a problem for which there is no evidence.

Proponents of this bill will rely on *Crawford v. Marion County Board of Electors* out of Indiana in which the U.S. Supreme Court affirmed the legality of Indiana's voter ID law. However, that is faulty logic. In Indiana, opponents of the restriction had the burden to prove the burden on eligible voters, but here, **proponents** of the bill must prove 1) the **need** for the restriction and 2) that they have chosen the **least restrictive method** to solve the problem.

The ACLU of Colorado believes the proponents of this bill can do neither and the committee members should vote no on HB 1146.

Respectfully submitted,


Cathryn L. Hazouri

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