

IN THE SUPREME COURT OF MISSOURI

Supreme Court Appeal No. 88039

KATHLEEN WEINSCHENK, WILLIAM KOTTMAYER, ROBERT PUND, AMANDA
MULLANEY, RICHARD VON GLAHN, MAUDIE MAE HUGHES and GIVE
MISSOURIANS A RAISE, INC.

Respondents

v.

STATE OF MISSOURI

Appellant

ROBIN CARNAHAN, SECRETARY OF STATE

Respondent

DALE MORRIS and SENATOR DELBERT SCOTT

Intervenors/Appellants

BRIEF OF AMICUS CURIAE-WOMEN'S VOICES RAISED FOR SOCIAL JUSTICE,
AARP, MISSOURI WOMEN'S COALITION,
JEWISH COMMUNITY RELATIONS COUNCIL, & MISSOURI NOW

Appeal from the Circuit Court of Cole County, Missouri
Honorable Richard G. Callahan

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AUTHORITY FOR FILING OF BRIEF OF AMICI

In accordance with Missouri Supreme Court Rule 84.05 (f) (2), the Brief of the Amicus Curiae herein is filed with the consent of all parties.

JURISDICTIONAL STATEMENT

This case is an Appeal from the Circuit Court of Cole County which held the 2006 Missouri Voter Protection Act, unconstitutional.

The case involves the question of the validity of a statute enacted by the Missouri State Legislature, as well as the interpretation of the Missouri Constitution. Thus it is within the exclusive appellate jurisdiction of the Missouri Supreme Court under Article V, Section 3 of the Missouri Constitution.

STATEMENT OF FACTS

The Amici adopt the Statement of Facts as set out in the Brief of Respondents.

POINTS RELIED ON

I

THE DECISION OF THE TRIAL COURT HOLDING THAT THE MISSOURI VOTER PROTECTION ACT VIOLATES ARTICLE VIII, SECTION 2 OF THE MISSOURI CONSTITUTION WAS CORRECT AND SHOULD BE UPHELD IN THAT ARTICLE VIII, SECTION 2, PROVIDES THE EXCLUSIVE LIST OF MISSOURI VOTING QUALIFICATIONS AND DISQUALIFICATIONS. THE ACT VIOLATES ARTICLE VIII, SECTION 2 BY CREATING SEVERAL ADDITIONAL QUALIFICATIONS AND DISQUALIFICATIONS, WHICH DISPROPORTIONATELY HINDER THE VOTING RIGHTS OF WOMEN, PEOPLE WITH DISABILITIES AND OLDER PERSONS.

Missouri Constitution, Article VIII, Section 2,

Murphy v. Carron 536 S.W. 2d 30 (Mo. banc 1976),

Koy v. Schneider, 110 Tex. 369, 377-378, 218 S.W. 479, 480 (1920),

Gerberding v. Munro, 134 Wash.2d 188, 949 P.2d 1366, (Wash. 1998).

II

THE TRIAL COURT CORRECTLY RULED THAT THE MISSOURI VOTER PROTECTION ACT OF 2006 VIOLATES ARTICLE 1, SECTION 25 OF THE MISSOURI CONSTITUTION IN THAT THE PHOTO ID REQUIREMENT INTERFERES WITH THE FREE EXERCISE OF THE RIGHT OF SUFFRAGE AS IT REQUIRES THE PAYMENT OF MONEY TO VOTE, IMPOSSES ONEROUS AND

TIME CONSUMING BURDENS THAT MUST BE OVERCOME BEFORE VOTERS RECEIVE A BALLOT, AND OTHERWISE MAY MAKE IT IMPOSSIBLE FOR QUALIFIED INDIVIDUALS TO VOTE.

Missouri Constitution, Article 1, Section 25,

Harper v. Virginia Board of Elections, 383 U.S. 663 (1966).

III

THE TRIAL COURT CORRECTLY HELD THAT THE 2006 MVPA VIOLATES THE EQUAL PROTECTION CLAUSE OF THE MISSOURI CONSTITUTION, ARTICLE I, SECTION 2 AND 10 AS WELL AS THE EQUAL PROTECTION CLAUSE OF THE 14TH AMENDMENT TO THE UNITED STATES CONSTITUTION IN THAT THE PHOTO ID REQUIREMENTS OF THE MVPA OPPERATE TO DISADVANTAGE SOME VOTERS AND INFRINGE FUNDAMENTAL RIGHTS PROTECTED BY THE CONSTITUTION AND ARE NOT NECESSARY TO ACCOMPLISH A COMPELLING STATE INTEREST.

Missouri Constitution, Article I, Section 2 and 10,

Etling v. Westport Heating & Cooling Systems, Inc., 92 S.W.3d 771 (Mo. 2003),

Mullenix-St. Charles Properties, L.P. v. City of St. Charles, 983 S.W.2d 550, 559 (Mo. App. 1998),

Harper v. Virginia Board of Elections, 383 U.S. 663 (1966).

ARGUMENT

I

THE DECISION OF THE TRIAL COURT HOLDING THAT THE MISSOURI VOTER PROTECTION ACT VIOLATES ARTICLE VIII, SECTION 2 OF THE MISSOURI CONSTITUTION WAS CORRECT AND SHOULD BE UPHELD IN THAT ARTICLE VIII, SECTION 2, PROVIDES THE EXCLUSIVE LIST OF MISSOURI VOTING QUALIFICATIONS AND DISQUALIFICATIONS. THE ACT VIOLATES ARTICLE VIII, SECTION 2 BY CREATING SEVERAL ADDITIONAL QUALIFICATIONS AND DISQUALIFICATIONS, WHICH DISPROPORTIONATELY HINDER THE VOTING RIGHTS OF WOMEN, PEOPLE WITH DISABILITIES AND OLDER PERSONS.

The Standard of review in a Court tried case has been established by this Court in Murphy v. Carron, 536 S.W. 2d 30 (Mo. banc 1976). The decision of the Trial Court must be affirmed if its decision is supported by substantial evidence, is not against the weight of the evidence, and the trial Court does not erroneously declare or apply the law.

The propriety of the Court's decision below striking down the Missouri Voter Protection Act (hereinafter MVPA) is clear on both the law and the facts.

The Trial Court determined that the Act's requirements that registered voters present a photo ID before being issued a ballot violates Article VIII , Section 2 of the Missouri Constitution in three ways:

- (a) It adds a new qualification to vote--presenting a Photo ID—not specified or permitted by Article VIII, Section 2;
- (b) It adds a new disqualification to vote—not presenting a Photo ID—not specified or permitted by Article VIII, Section 2; and
- (c) It attempts to exclude by law from voting—persons not presenting a Photo ID—persons other than those permitted to be excluded under Article VIII, Section 2. (Findings of Fact, Conclusions 27).

In 2002, Missouri adopted a requirement that voters identify themselves but allowed them to present one of many forms of identification readily available to virtually all voters. The 2006 MVPA, creates an affirmative requirement that will require many otherwise qualified voters to undertake additional steps in order to vote, such as obtaining birth certificates from other states at the voter's expense.

The stories of the seven individual plaintiffs are compelling. All are qualified voters and taxpayers in the State of Missouri. Kathleen Weinschenk was born in the State of Arkansas and will need to pay a fee to obtain her birth certificate. As she has cerebral palsy, she will be unable to make a consistent signature or mark, a fact which under the 2006 MVPA might ultimately disqualify her from ever voting. (T 246, 249, 251). Her situation dramatizes some of the burdens the MVPA imposes on persons with disabilities.

The same is true for William Kottmeyer who has not driven in over 10 years. He has a lack of physical mobility which would make gathering all of the necessary documents to obtain a non driver's license difficult if not impossible. It would be difficult for him to stand in long lines at the Department of Revenue. (P1. Tr. Exh. 12).

Similarly plaintiff Robert Pund is unable to get around without assistance and would be required to arrange transportation to and from Department of Revenue offices and employ an attendant in order to obtain a non driver's license. (P1. Tr. Exh. 14).

Amanda Mullaney does not have a driver's license because she does not have or need an automobile. She was born in Kentucky and her current name does not match the one on her birth certificate because her parents were not married at the time of her birth. (P1. Tr. Exh. 13). In order to vote under the new law, Amanda would be required to provide "Proof of Name Change" in the form of a certified Court Order or Amended birth certificate. Obtaining one in Kentucky would be expensive, time consuming and could conceivably require the hiring of an attorney. Other eligible women who have changed their name through marriage or divorce could have similar problems.

Richard Von Glahn attempted for 45 minutes in Maplewood, Missouri in June, 2006 to obtain a non driver's license for the purpose of voting. One employee did not know how to handle his request and the other informed him that he would first be required to obtain a certified copy of his birth certificate from the Ohio Department of Social Services for a fee of \$20.00 and pay \$11.00 for a Missouri non driver's license. (P1. Tr. Exh. 15).

Maudie Mae Hughes is an African American who was born in Mississippi. She has been informed by that state on numerous occasions that the state does not have a record of her birth. (P1. Tr. Exh. 11). Her difficult situation, and that of other similarly situated Missouri voters, derives from inadequate record- keeping practices for persons of her age and race. Under the MVPA Maudie would, be unlikely to ever be able to fulfill

the requirements to vote as most of the documentation requires proof of the date and place of her birth.

Kathleen, William, Robert, Amanda, Richard and Maudie Mae, are representative of the 240,000 registered Missouri voters that the Secretary of State has determined may not have acceptable Photo ID's. (P1. Tr. Exh. 21; Stipulation 46).

They are representative of numerous members of the Amici Organizations whose Constitutional right to vote is hindered or eliminated by the MVPA.

The Court below correctly held that the legislature cannot add qualifications that are not specifically enumerated in the Constitution. The Court cited numerous authorities which are compelling in this case for its conclusions of law. When the people by the adoption of the Constitution have fixed and defined in the Constitution itself what qualifications a voter shall possess to entitle him to vote, the legislature cannot add an additional qualification. Koy v. Schneider, 110 Tex. 369, 377-378, 218 S.W. 479, 480 (1920). Gerberding v. Munro, 134 Wash.2d 188, 949 P.2d 1366, (Wash. 1998). Likewise, the Missouri Constitution does not permit the legislature to add any qualifications or disqualifications not specifically mentioned.

The State of Missouri should be doing all it can to encourage participation in the electoral process. The MVPA, on the other hand creates numerous obstacles to that participation which disproportionately fall on the poor, disabled, elderly, and women, who traditionally may have changed their names through marriage or divorce. Also, women are a disproportionate share of older persons, older disabled persons and older disabled persons of low income.

II

THE TRIAL COURT CORRECTLY RULED THAT THE MISSOURI VOTER PROTECTION ACT OF 2006 VIOLATES ARTICLE 1, SECTION 25 OF THE MISSOURI CONSTITUTION IN THAT THE PHOTO ID REQUIREMENT INTERFERES WITH THE FREE EXERCISE OF THE RIGHT OF SUFFRAGE AS IT REQUIRES THE PAYMENT OF MONEY TO VOTE, IMPOSSES ONEROUS AND TIME CONSUMING BURDENS THAT MUST BE OVERCOME BEFORE VOTERS RECEIVE A BALLOT, AND OTHERWISE MAY MAKE IT IMPOSSIBLE FOR QUALIFIED INDIVIDUALS TO VOTE.

The Missouri Constitution makes it clear that all elections shall be free and open. Article I, Section 25 provides "...no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage."

The Trial Court exhaustively analyzed the interference with suffrage occasioned by the photo ID requirement.

The Court held correctly that it requires the payment of money to vote, a practice clearly held unlawful by the United States Supreme Court in Harper v. Virginia Board of Elections, 383 U.S. 663 (1966). In the circumstances of the seven plaintiffs, that fact is clear. Kathleen Weinschenk will need to pay a fee in order to obtain her birth certificate from the State of Arkansas. (T 246-251).

Due to his disability, Robert Pund will be required to pay for transportation and employ an attendant to assist him in order to apply for a non driver's license.

(P1. Tr. Exh. 14). Amanda Mullaney will not only be required to obtain and pay for a

birth certificate in Kentucky, her state of birth, but she will also be required to obtain at some cost, proof of name change in the form of a certified Court order or amended birth certificate. (P1. Tr. Exh. 13). Richard Von Glahn will need to purchase from the Ohio Department of Social Services a copy of his birth certificate. Any of the individuals attempting to obtain a Missouri non driver's license will pay \$11.00 for that document. (P1. Tr. Exh. 15).

The Circuit Court also correctly found that the photo ID requirement imposes burdensome and time consuming hurdles that must be overcome before receiving a ballot. The steps outlined in Point 1 of this brief, make it clear that each of the plaintiffs, and many of the thousands of other potentially disqualified voters will be required to travel significant distances to obtain birth certificates or engage in extensive correspondence. Still others will be required to obtain transportation to the Missouri Department of Revenue to obtain a non Missouri driver's license, and in the case of an individual such as Amanda Mullaney, may even need to hire an attorney to obtain a Court order amending her birth certificate.

For example, Richard Von Glahn spent 45 minutes attempting to obtain a non driver's license in Maplewood, Missouri, and was only successful in learning that he would need to obtain certified copies of his birth certificate from Ohio before returning to that office to pay an additional fee to obtain a Missouri non driver's license. (P1. Tr. Exh. 15).

Lastly, the Court was correct in its finding that for some, MVPA requirements will make it impossible to vote. Plaintiff Maudie Mae Hughes, who was born in

Mississippi, has been informed by that State that there is no record of her birth.

(P1. Tr. Exh. 11). Virtually all of the documents that would support the issuance of a non driver's license, or an other acceptable form of identification, require proof of birth. For multitudes of older women who are poor, disabled and, or persons of color MVPA requirements are likely insurmountable.

The obstacles created by the MVPA clearly prevent the "free exercise of the right of suffrage" in violation of Article I, Section 25.

III

THE TRIAL COURT CORRECTLY HELD THAT THE 2006 MVPA VIOLATES THE EQUAL PROTECTION CLAUSE OF THE MISSOURI CONSTITUTION, ARTICLE I, SECTION 2 AND 10 AS WELL AS THE EQUAL PROTECTION CLAUSE OF THE 14TH AMENDMENT TO THE UNITED STATES CONSTITUTION IN THAT THE PHOTO ID REQUIREMENTS OF THE MVPA OPPERATE TO DISADVANTAGE SOME VOTERS AND INFRINGE FUNDAMENTAL RIGHTS PROTECTED BY THE CONSTITUTION AND ARE NOT NECESSARY TO ACCOMPLISH A COMPELLING STATE INTEREST.

The right to vote is one of Missourian's basic Constitutional liberties.

The right to vote under our State Constitution is a fundamental right. See, e.g. Etling v. Westport Heating & Cooling Systems, Inc., 92 S.W.3d 771, 774 (Mo. 2003); Mullenix-St. Charles Properties, L.P. v. City of St. Charles, 983 S.W.2d 550, 559 (Mo. App. 1998).

The testimony in this case makes it clear that the right to vote was of profound

importance to the seven individual plaintiffs. Each had already undertaken numerous steps and expended time and money in attempting to fulfill its requirements, and each had failed to do so.

In spite of those numerous steps, which were quite costly given their financial resources, and time consuming, none of the seven had succeeded in fulfilling the Statute's requirements. The evidence before the Trial Court makes it clear that many tax paying, Missouri citizens such as our seven plaintiffs, may well be denied their right of suffrage if the MVPA photo ID requirement is allowed to stand.

The United States Supreme Court has made it clear that it is a violation of the Equal Protection Clause of the United States Constitution to require payment of any fee to vote. Harper v. Virginia Board of Elections, 383 U.S. 663 (1966). The MVPA requires Missouri voters who do not already possess a photo ID to pay one or more fees in order to obtain an ID which will allow them to vote. The evidence established that to obtain a photo ID, three forms of acceptable documents may require a birth certificate, which in the State of Missouri will cost \$15.00. (P1. Tr. Exh. 23). If born in another state, the fee will vary. The fees greatly exceed the \$1.50 fee held unconstitutional by the Supreme Court in Harper.

The circumstances of the seven plaintiffs make it clear that a voters lack of affluence, may determine whether or not he or she is able to cast a ballot. That aspect of the MVPA can never pass the strict scrutiny test in that "... the right to vote is too precious, too fundamental to be so burdened or conditioned." Harper, Id at 670.

In its ruling, the Circuit Court also stressed the disparate impacts caused by

SB1014 for African-American and women voters. (Findings of Fact and Conclusions of Law at 42-43, 46-47). Much of the court’s reasoning in these passages might also be applied to older voters and voters with disabilities.

Many older and disabled voters lack access to automobiles. In some instances, this derives from their inability to afford a car; in other cases, it stems from their inability to drive, or results because they are dependent on others for transportation. Similarly, many older voters or voters with physical or mental impairments (who nevertheless are competent to vote) may have particular difficulty securing documents necessary to obtain a valid photo ID. In some instances this may be caused by special problems they face as a group: i.e., older citizens are more likely to have difficulty securing a birth certificate if they were born long ago, and/or out of state or in circumstances in which birth records were not kept (*e.g.*, births outside of a hospital, or in areas where the records of African-American newborns were not well-kept). In other instances, the disproportionate difficulties faced by older and disabled voters in securing key documents may relate to their limited mobility, and/or their inability to work (and related limited income). Older women share the additional problems generated by marital name changes.

Amici strongly dispute Appellants’ arguments in the Circuit Court, which they presumably will rely on once again in this Court, that the legal defects of the MVPA may be forgiven, or at least considered largely ameliorated for older and disabled voters, by the law’s provisions seemingly affording “exceptions” for voters with “[a] physical or mental disability of handicap, [who are] otherwise competent to vote,” and for voters

who reached age 65 as of January 1, 2006.

The right to cast a “provisional” ballot for such voters, if they lack a photo ID, is far inferior to the right to cast a regular ballot. In the first place, the provisional ballots of older and disabled voters, among others, would be subject to a series of requirements which are not imposed for regular ballots to be counted.¹ Further, the requirement to “verify” the signature of individuals casting a provisional ballot adds a troublesome subjective element into the electoral process that may cause many such votes not to be counted, if only because the signatures of those covered by these “exceptions” are especially likely to have changed, due to the very passage of time and conditions of disability that supposedly justify special treatment.

A national survey conducted in January 2006 further demonstrates the unfairness

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- 1 a) The election authority must verify the identity of the individual by comparing that individual’s signature on file with the election authority;
 - (b) The election authority must determine that the individual was eligible to cast a ballot at the polling place where the ballot was cast;
 - (c) The election authority must determine that the voter did not otherwise vote in the same election by regular ballot, absentee ballot otherwise;
 - (d) The election authority must determine that the information on the provisional ballot envelope is found to be “correct, complete and accurate.”
 - (e) If the election authority determines that the provision voter is registered and eligible to vote in the election, it must provide documentation verifying the voter’s eligibility, which must be noted on the copy of the provisional ballot envelope; and
 - (f) No provisional ballot may be counted until all provisional ballots are determined either eligible or ineligible in accordance with these requirements.

of laws like SB1014 that require voters without valid government-issued photo identification to demonstrate their eligibility to vote by producing a birth certificate or passport. That SB 1014 has such an effect is beyond dispute. The Circuit Court stated:

For those Missouri citizens who do not possess a Photo ID acceptable under the MVPA and wish to obtain one, three different forms of proof must be obtained and presented: Proof of Lawful Presence, Proof of Identity, and Proof of Residency. (Exh. 22; Stip. 11). ... For someone born in the United States, only two documents are acceptable to establish Proof of Lawful Presence; a birth certificate (certified with embossed or raised seal by state or local government) or a U.S. Passport. *Id.*

Findings of Fact and Conclusions of Law at 9 (findings 22 & 23). A birth certificate is required to obtain a passport.

Recent national survey data show that adults age 65 or older are much less likely than younger adults to have access to a birth certificate or a passport (7.4% of adults 65 or older versus 5.1% of adults 18-64 and 5.7% of adults overall). The disparity is even greater for lower-income adults (8.1% of those with incomes below \$25,000 versus 4.6% of those with higher incomes), African-American adults (8.9%) and adults with less than a 12th-grade education (9.2%).²

Clearly MVPA requirements cannot pass the strict scrutiny required to overcome Constitutional objections. The State presented virtually no evidence that there has been any voter identification fraud which would be cured by the photo ID requirement. By contrast the plaintiffs presented overwhelming evidence that each of the

² R. Greenstein, L. Ku, and S. Dean, "Survey Indicates House Bill Could Deny Voting Rights to Millions," Center for Budget & Policy Priorities, September 22, 2006 (describing telephone survey of 2026 adults nationwide, taken in connection with legislative actions in the U.S. House of Representatives), available at <http://www.cbpp.org/9-22-06id.htm>.

individual plaintiffs, as well as up to 169,215 individuals found by the Missouri Department of Revenue not to have photographic personal identifications, and the approximately 240,000 registered Missouri voters who may not have acceptable photo ID's according to the analysis by the Missouri Secretary of States office dated August 18, 2006, may be denied the right to vote as a result of the MVPA. (P1. Tr. Exh. 20, 21). The onerous requirements, demonstrated by plaintiffs will also apply to all of those individuals as well as numerous other individuals unidentified by the Department of Revenue or Secretary of State.

The evidence below clearly demonstrated that the requirements of the 2006 MVPA clearly present unacceptable, onerous, hindrances to the right to vote and cannot stand under the Equal Protection Clauses of our State and Federal Constitution.

CONCLUSION

For the foregoing reasons, Amici respectfully submit that the Judgment of the Trial Court was correct both factually and legally. Many Missourians sacred right to vote has been unduly and unnecessarily infringed by our legislature. The Trial Court's Judgment striking down the requirements of the 2006 MVPA must be affirmed.

Respectfully submitted

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STATEMENT OF INTEREST OF AMICI

The undersigned organizations represent diverse constituencies. Their positions on other issues are varied and they are not connected or affiliated organizations. Each organization has come together as a part of this Brief based on its conviction that voting is a right and a responsibility of individuals living in our Republic. Laws which hinder or place unnecessary burdens on a United States citizen's exercise of the right to vote must be given the strictest scrutiny. Additional requirements enacted by the Legislature in the MVPA place an undue and unnecessary burden on the right to vote and have a disparate impact on women, elderly, poor and disabled citizens.

Women's Voices Raised for Social Justice

Women's Voices Raised for Social Justice was organized in St. Louis, Missouri, in May, 2005. The purpose of the organization is to identify, research and discuss critical issues, to mobilize, energize and inspire members and others to action, and to work as individuals and in community for social justice.

In just 16 months Women's Voices Raised for Social Justice has gained more than 220 members and subscribers to its e-mail calendar of events. In pursuit of its purpose, Women's Voices encourages the study of issues and participation in the political process. It wishes to make certain that the right to vote of all citizens is not unnecessarily hindered. By an overwhelmingly affirmative vote, members of the organization voted to file this amicus curiae brief.

Women's Voices is organized exclusively for charitable, educational or civic purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code. The Organization does not participate in or intervene (including the publishing or distribution of statements) in any political campaign on behalf of any candidate for public office.

AARP

AARP is a non-partisan, non-profit membership organization dedicated to addressing the needs and interests of Americans age 50+. Because Americans age 50+ represent a disproportionately large share of Americans with disabilities, AARP's advocacy includes speaking out for access to the mainstream for people with disabilities, including in the area of voting rights. AARP has more than thirty-six million members overall and more than 762,000 members in Missouri.

AARP neither supports nor opposes candidates for public office; nor does it contribute money to political candidates' campaigns or to political parties. AARP favors fair and simple procedures that encourage maximum participation in the electoral process.

AARP also supports procedures to detect and prevent voter fraud that do not reflect partisan bias, and that do not permit arbitrary or discriminatory reviews or ID challenges that may discourage voter registration or turnout. Based on these principles, AARP has participated as an *amicus curiae* opposing restrictive voter ID legislation in Michigan in *In re Request for Advisory Opinion Regarding Constitutionality of 2005 PA*, Docket No. 130589 (Michigan Supreme Court) (pending). AARP Foundation Litigation attorneys also serve as co-counsel in federal litigation in Georgia and Arizona

challenging state voter ID laws that threaten to reduce, rather than encourage, citizen participation – particularly participation of older voters and voters with disabilities – in the electoral process. *See Common Cause/Georgia, et al. v. Billups, et al.*, No. 4:05-CV-0201-HLM (N.D. Ga.); *The Inter Tribal Council of Arizona, Inc., et al. v. Brewer*, No. 3:06-cv-1362 (D. Ariz.). In addition, AARP has opposed the enactment of federal voter ID legislation that would require states to adopt restrictions such as those imposed by Missouri SB1014.

Missouri Women’s Coalition

The Missouri Women’s Coalition was formed December, 2002. By July, 2004, its membership numbered over 2,500 women statewide. The Missouri Women’s Coalition’s website states that: “We are committed women who are joining together to influence the Women’s vote for progressive candidates.” The Coalition strives to encourage participation of women in the political process from the local level all the way to the White House. The Coalition seeks to inform, motivate, engage and empower women in all corners of the state.

As part of its mission, encouraging women to vote, and opposing laws that would unnecessarily hinder that participation is consistent with its mission.

The Missouri Women’s Coalition is a Missouri Political Action Committee registered with the Missouri Ethics Commission.

The Jewish Community Relations Council (JCRC)

The Jewish Community Relations Council (JCRC) is a non-partisan, non-profit organization. A community based agency, the JCRC promotes a just, democratic

and pluralistic society. Its membership is comprised of 19 constituent organizations and agencies and 14 at large members.

The JCRC has long made it a priority to encourage responsible voter participation. JCRC is committed to fair, efficient, and proper elections. We believe the government should consistently seek to improve the election process to insure that all votes are counted, and that all persons wishing to vote are given a meaningful opportunity to do so. We oppose imposing a requirement for Voter ID that will result, we believe, in an encroachment on the ability of citizens' to exercise their constitutional right to vote.

JCRC therefore joins as amici on the brief being submitted concerning THE MISSOURI VOTER PROTECTION ACT

Missouri NOW

The purpose of NOW is to take action to bring women into full participation in the mainstream of American society exercising all privileges and responsibilities thereof in truly equal partnership with men, including voting rights.

NOW strives to eliminate discrimination and harassment in the workplace, schools, the justice system, and all other sectors of society; eradicate racism, sexism, and promote equality and justice in our society.

NOW achieves its goals through direct mass actions, intensive lobbying, grassroots political organizing and litigation including class-action lawsuits.

NOW celebrated it's 40th anniversary in April of this year. We have approximately 1,250 statewide NOW members in Missouri with individual chapters in St.

Louis, Kansas City, Kirksville and Columbia.

CERTIFICATE OF SERVICE

The undersigned certifies that on this ____ day of _____, 2006, one written copy and one copy of a disk as required by Rule 84.06 (g) of Amici's Statement, Brief and Argument were served on:

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Notary Public

CERTIFICATE OF COMPLIANCE

This is to certify that Brief of Amici complies with the page limits of Rule 84.06 in that it is less than 23 pages in length, and further, that it contains 4,897 words and 608 lines as established by the word count of the word processing system used to create it. This is to further certify that the disk accompanying Brief of Amici has been scanned for viruses and is virus free.

CYNTHIA S. HOLMES

Subscribed and sworn to before me this _____ day of September, 2006.

Notary Public

