How Voter Restriction Laws Can Silence People With HIV

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One critical factor that may affect the outcome of the upcoming elections is a movement to enact stricter voter laws that limit or restrict voting rights. AIDS United is concerned that some voter restriction laws have the potential to silence the voices of many people, including those living with or at risk for HIV.

From photo ID requirements to proof of citizenship documents and reduced early voting periods, restrictions are broad and are designed to limit voting capabilities. These restrictions tend to particularly affect our nation's most vulnerable, such as those without the means to obtain accepted identification or are not physically able to get to the polls on Election Day. Since the 2010, six states have made it harder for citizens to vote for the 2012 election, and fourteen additional states imposed new restrictions for the upcoming 2016 presidential election. Nine of these twenty states are in the South, the region that is currently facing the greatest impact of the HIV epidemic.

The U.S. has a deep track record of voter suppression. Beginning after the Civil War, five amendments to the Constitution have expanded voter rights. It was not until the Voting Rights Act of 1965 that racial discrimination at polling places was prohibited. However, many claim that newly enacted photo ID laws are akin to poll taxes citing evidence of partisan or racial motivation behind the laws. A 2011 report issued by the Brennan Center indicated that up to "25% of African-American voters do not possess a current and valid form of government-issued photo ID, compared to 11% of voters of all races." Voter ID laws greatly restrict African American communities' ability to vote. Courts in North Carolina recently struck down a voter ID law with other voting restrictions in July, claiming that the laws "target African Americans with almost surgical precision." In 2014, African Americans accounted for 44% of new HIV diagnoses despite only comprising 12% of the population, resulting in a situation where new racially biased voter restrictions will also have a direct impact on populations most at risk for HIV.

Additionally, trends to prevent convicted felons from voting may disproportionately affect people living with HIV as well. Among inmates in state and federal prisons, rate of HIV diagnoses is five times higher than those who are not incarcerated. Florida, Iowa, and South Dakota toughened the ability to restore voting rights for people with criminal convictions in 2012. Restoration of voting rights varies widely by state. Some states, like Maine and Vermont, never suspend voting rights for people with criminal convictions while others require ex-felons to apply to the court or governor

for restoration – which may lead to a lengthy, expensive process that culminates with rejection. Most states automatically restore voting rights after the completion of the sentence including parole and probation. People living with HIV who have prior convictions should look into their state's restoration process to see how they can gain back their right to vote.

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Fortunately, this year many states have advanced policies that expand voting rights and access to the polls. Both West Virginia and Vermont have rolled out successful automatic voter registration programs. Additionally, 2016 appears to be a slow year in terms of passing new voter restrictions. Most of the fourteen new restrictions were implemented prior to 2016, and restriction laws in North Carolina, Kansas, Wisconsin, Texas, and Ohio were overturned by the courts this year. And while these restrictions make headlines across the nation, it is important to note that legislation expanding voting access has outpaced suppressive legislation 422 bills to 77 bills. These

expansive measures include 28 states that are considering automatic registration and 15 states that are considering online voter registration.

Keeping basic civil rights out of reach of millions of Americans, including people living with HIV, is not in the spirit of equality or democracy. Disqualifying people from the outset says that their vote and their voice are not wanted. Voting is HIV advocacy and AIDS United encourages all eligible voters to get out and vote this November. Here are some ways that you can do this:

- The Brennan Center offers a comprehensive resource outlining the various new voting restrictions by state.

- Click here to see what identification is required for your state on Election Day

- Find out how to request a state ID please visit your state's motor vehicle agency
- Visit your state's vital record center to request a new birth certificate

- Check into your local HIV resource center to see what tools and information they can give you on the voting restoration process if you are a person living with HIV who has a prior felony conviction.

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