

Please vote no on SB 2157. Proof of citizenship is an extra step in voting, and it is unnecessary and potentially discriminatory on the basis of color, presumed immigration status, presumed nationality or ethnicity or race. According to the federal Voting Rights Act, poll workers are not supposed to discriminate against potential voters on the basis of race or other protected classes.

Each time I read this bill or information provided on it, I am left with the question, “And how is the poll worker going to decide to ask a potential voter for proof of citizenship? Because I doubt that everyone coming in to vote will be asked to provide proof of citizenship. Generally, voters are asked to provide proof of residency, and generally voters use their ND driver’s license or their ND nondriver’s license issued by ND DOT. Additional acceptable forms of ID are a tribal government-issued ID, or a long-term care ID certificate.

If a person has a current North Dakota driver’s license with real ID, their citizenship had to be proven at the ND DOT licensing office in order to obtain real ID. Persons without real ID are the ones who might be asked to provide proof of citizenship. And some other forms of ID already are proof of citizenship: a tribal ID, for example. Persons of color, persons who don’t speak English well but are naturalized citizens, older people, and Native Americans are left if they don’t have a DL with real ID. It’s fairly obvious to me that the bill proposers are opposed to making it easy or possible for the aforesaid groups of people to vote. I would remind the proposers that undoubtedly one, two, three, or four generations back, their relatives very likely were immigrants, perhaps who didn’t speak English well, who nevertheless were allowed to vote, and generally, it was because the poll workers and others in line to vote knew them and their families—all possible in smaller towns, with less frequent moves, and with lower populations.

More to the point, there is an October 2022 ND Attorney General’s opinion about the inadvisability of requiring proof of citizenship to vote, and the fact that a Kansas law requiring people to provide proof of citizenship when registering to vote [something not required in North Dakota, but this bill requiring proof of citizenship at the poll is much the same thing] was unconstitutional because it violated the Equal Protection Clause of the U.S. Constitution. It is quite likely that if such a law is passed in North Dakota, various groups such as ACLU, the League of Women Voters, and others will sue to have the law declared unconstitutional, and it is quite likely that they will win. Mostly, then, the consequence of enacting this bill into law will be to create litigation and the expense of litigation, which will have to be borne by the state’s taxpayers [citizens and noncitizens alike], and to create confusion and chaos around elections, all unnecessary drama.

This proposal about asking for proof of citizenship is another way of saying that “some [people] are more equal than others,” a statement taken from George Orwell’s passionate outcry against totalitarianism and anti-democracy, [Animal Farm](#). I do not want North Dakota to go down the path to totalitarianism. It does not preserve the state and its people: it is a step toward destroying and despoiling what we have and who we are. **Vote no on SB 2157.**