



SeniorLAW Center

Protecting The Rights of Older Pennsylvanians

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Hearing on H.B. 647 and H.B. 934

I am pleased to be here with you today and appreciate the opportunity to share our concerns about House Bills 647 and 934, and their potentially destructive impact on the fundamental right to vote of many Pennsylvania senior citizens.

Our work at SeniorLAW Center is protecting the rights of older Pennsylvanians. As the only nonprofit organization dedicated to providing legal protection to Pennsylvania senior citizens, we are proud to serve almost 10,000 older Pennsylvanians each year, including free services to seniors in each of Pennsylvania's 67 counties through our Pennsylvania SeniorLAW HelpLine. We are pleased to serve seniors in every corner of the Commonwealth, including constituents of every member of this Committee, from small communities in central and Northern and Southeastern Pennsylvania, to farming communities in Lancaster County, to urban centers through central and western Pennsylvania, in diverse urban, suburban and rural communities. We focus on improving the lives of those who came before us, and we protect their rights: those who fought our wars, built the foundations of our country, and created the opportunities we enjoy today. We do that through free legal representation, education and advocacy. We provide a voice, an advocate, and access to justice. We save homes, provide protection from abuse and exploitation, promote access to health care and dignity at end of life, enable grandparents to raise grandchildren in loving homes and out of foster care, and promote healthy lives of independence and dignity.

I'm sure that everyone in this room knows that Pennsylvania has one of the largest populations of seniors in the country: the third highest percentage of seniors in the United States. By the year 2020, one in four Pennsylvanians will be age 60 and over. They are the backbone and foundations of our communities. They walked before us and carry our history. They support multi-generational families. Over 160,000 Pennsylvania children live in grandparent-headed households. Older Pennsylvanians deserve our attention and our respect. We fear these proposed bills would do exactly the opposite. We caution you to carefully examine their impact on our elders.

As you, our elected representatives and lawmakers, debate voting reforms, it is worth remembering this quote from U.S. Senator Herb Kohl (D-WI), Chair of the Senate Special

Committee on Aging, who said: "If we do not remove the barriers that prevent elderly and disabled citizens from exercising their right to vote, then we are – for all intents and purposes – disenfranchising them."

In fact, Senator Kohl essentially provides us with a test to evaluate these voting bills. The test is whether a bill erects barriers or eases access to the ballot for seniors. Voting is a right our older Pennsylvanians take very seriously, which they demonstrate by voting in large numbers. Older Pennsylvanians are voters. They are proud to take part in our political process. Older Americans consistently demonstrate a strong commitment to the democratic process by exercising their right to vote more frequently than other age groups. In briefing before the Supreme Court, AARP has noted that seniors are, indeed, the most reliable voters in the United States.

We believe we should encourage our elders to participate in our political process, not discourage them through the erection of obstacles and barriers. We believe these bills will do just that: make it harder to vote for those who want to be good, patriotic and pro-active citizens.

As we all know, the overall rate of voter participation in the U.S. is disappointingly low, especially when compared to other industrial democracies. And many people don't vote because of rules that make it too complex, too difficult, too time-consuming, or too costly to go to the polls. We need laws that make it easier to vote, not harder.

Inconsistencies in voting systems throughout the country often impose unnecessary, complex procedures for voter registration, absentee balloting and other barriers to voting in-person. These impediments to voting disproportionately prevent older persons, as well as those with disabilities, minorities, and the low-income, from voting or from having their vote counted. User-friendly voting and voting procedures which are fair, accessible and simplified would encourage larger numbers of Pennsylvanians to vote, and make our electoral system stronger.

Older Pennsylvanians like Bea in Chester County. Bea has voted in every presidential election for almost seven decades, starting when FDR was running for office. A widow, 92-year-old Bea now lives at an elegant residential facility in an upper class suburban neighborhood. She does not drive, and her passport expired at least 15 years ago. Still a striking beauty, Bea is frail and has a host of health and mobility problems and rarely leaves her facility without extraordinary assistance. Neither her AARP card nor her Medicare card nor her Social Security card nor her credit card has a photo. Should she be told she's now suddenly ineligible to vote or required to wait in line to get photos and a new form of ID at this stage in her life to exercise her cherished right to vote? New proposed legislation could prevent Bea from continuing her voting streak. These new requirements, after over seven decades of proud and consistent voting even with her many health challenges, would prevent her from voting at all.

HB 934 imposes new requirement that all voters, even those like Bea who have voted since the

1930s, to now produce photo ID each time they vote. Proponents contend that this bill would not pose a major inconvenience to voters, since most adults carry one form of photo ID or another.

But research contradicts this claim. Seniors are disproportionately represented among the millions of Americans who do not have current government-issued photo IDs. As many as eighteen percent of American citizens age 65 and above – more than 6 million seniors - do not have current government-issued photo ID. Seniors are also often encouraged by family members and doctors to relinquish their driver's licenses and may face heightened scrutiny when applying for a new or renewal license. Should they now lose their right to vote in addition to their ability to drive and other difficult losses of independence, mobility and dignity?

Most identification critical to seniors' lives do not meet the new criteria of "proof of identification": neither a social security card nor Medicare card nor other health care membership I.D. includes a photo. Seniors, especially those who are in advanced age and have significant health conditions or disabilities, often do not have a current drivers' license or passport.

We believe that "photo ID" voting requirements unnecessarily limit rather than expand citizen participation in the electoral process. And those limits will hit seniors and low-income folks disproportionately. This includes those who do not have the luxury of travel, of their own automobile, or the ability to drive, and will have a negative impact on the severely disabled, chronically ill, homebound, nursing home residents, the isolated, the unbefriended elderly, those with sight, literacy or other impairments, all of whom for which it will be a great challenge if not impossible to obtain photographs, complete new affidavits, pursue a new type of identification card, and for whom officially pleading and establish poverty, if they cannot afford it on their fixed income, to try to obtain one is another indignation in the long list of indignations of aging in our culture.

We are pleased that Pennsylvania AARP, with its 1.8 million members in Pennsylvania, joins us in opposing HB 934 as it is written, because it would put undue hardships on many seniors who have been voting for years, who may no longer have the proper ID and would have a difficult time getting it.

Proponents justify onerous ID restrictions as a way to prevent voter fraud. Again, we believe the facts are to the contrary. In one of the most comprehensive analysis of public allegations of voter fraud, *The Truth About Voter Fraud* by NYU Law School's Brennan Center for Justice, the so-called evidence of abuses turned out to be largely clerical errors, computer matching errors, and voter mistakes, among other misunderstandings. In fact, according to this report, "It is more likely that an individual will be struck by lightning than that he will impersonate another voter at the polls."

And while we should all be concerned about our low-income neighbors and communities -- particularly our low-income seniors living from month to month on fixed incomes, to whom we owe our gratitude -- this is not simply an issue of poverty. Voting obstacles included in

these proposals will affect seniors of all incomes. Seniors like Rhonda, born in July of 1916, who had her own apartment til she was 89. Rhonda voted in every election, and also organized others in her senior building to both register and get out to the polls. She was proud and patriotic. Voting was a celebration of being an American. A retired secretary who worked for the Pennsylvania Courts for four decades, she was an upper middle class woman married to an engineer. She had pensions from her government service, and she was a saver, planning for the future; when she passed, she left an education fund for her grand nieces and nephews, and left her estate for charity which is now a foundation supporting those in need. After she was widowed, in her 80s, Rhonda was cared for by her trusted friends who became her caregivers and who helped her with great effort to get to the polls when Election Day came. Rhonda's passport had expired, she never had a drivers license, and she didn't have need for a photo I.D. Should she have been prevented from pursuing her cherished vote? Should her vote have been relegated to being "provisional?"

Aging is also not a partisan issue! We don't become Democrat or Republican upon reaching a certain age. Seniors are highly diverse. Aging affects us all. Similarly seniors of all political persuasions will be affected if these new obstacles to voting are implemented.

We also have concerns about H.B. 647 which we believe will disenfranchise many members of the electorate, including older adults. Older adults with chronic illness, who are homebound or severely disabled, who live in rural communities, who can't afford shared ride or other transportation costs, who have literacy, vision or hearing impairment, or other challenges likely wouldn't be able to obtain photographs or register. Or plead and establish just cause for an exemption. Or appeal. Questions which readily come to mind include: Are all DMVs and county offices where the masses would go for ID fully accessible and accommodating? Can they easily accommodate seniors with chronic conditions, dependent on canes, walkers, on oxygen, with hearing or vision challenges or impairments?

Do we really want our elders waiting in lines for new ID, waiting in lines to vote to verify new ID, being turned away and relegated to the filing of provisional ballots, being required to then appear before a county board of elections within six calendar days for that provision ballot to even be counted? In reality, all of this will impose obstacles which will result in less access for elders to the fundamental right of voting. Many seniors will lose their right to vote.

Both HB 647 and 934 and their proposed changes will require investment of scarce government funds while also posing real obstacles to access and to fundamental rights. New requirements would require a major educational campaign since it will impact all voters and has the potential to create chaos on the first election day after implementation. Resources on new procedures, forms, determinations of eligibility, review of provisional ballots, education, and staffing of every new step will have to be dedicated at a time when services for basic human needs are underfunded, unfunded or struggling. There are a myriad of other critical problems facing us in Pennsylvania that need a legislative response and/or state resources: foreclosures, imminent homelessness, access to fundamental health care for adults and families, even adequate nutrition, struggles for basic needs so that our elders, neighbors and families in our communities are not living in harsh, unacceptable conditions of hardship and

poverty. Many of those are our elders, most of who have worked all of their lives and are now struggling to survive.

We should be removing barriers for Pennsylvania's seniors, not creating them.

Surely we want to preserve and support the rights of our older veterans, grandmothers and grandfathers, those who came before us and who created the opportunities we enjoy today; surely we want to preserve and support their right to shape the world they helped build and defend.

By the year 2020, 1 in 4 Pennsylvanians will be 60 and older – more than three million people. Our elders, our seniors helped to protect the right to vote. Let's not make it harder for them to exercise that right.

Thank you for this opportunity and for giving consideration to the rights and needs of older Pennsylvanians.

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