

United States Supreme Court Blocks Wisconsin's Voter ID Law for November

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WASHINGTON - The Supreme Court on Thursday night blocked Wisconsin from implementing the Walker Administration's voter identification law on the eve of next month's election.

In a related action, a district court judge in Texas ruled that state's voter ID law is racially discriminatory and violates the Voting Rights Act. The Texas attorney general's office said it would appeal.

Both Wisconsin and Texas had claimed the new rules were intended to crack down on instances in which voters impersonate others at the polls. Such incidents are extremely rare, courts have found.

The court gave no reason for its action, as is routine for such emergency orders. But Justices Samuel Alito, Antonin Scalia and Clarence Thomas dissented, arguing that the court cannot block an appeals court ruling unless the lower court "clearly and demonstrably erred in its application of accepted standards."

The Wisconsin law requires voters to produce a photo ID at the polls based on a 2011 law that was rolled out in time for low-turnout primaries the following year. Because of early problems, a state court blocked further use of the law.

The American Civil Liberties Union and the Advancement Project, a civil rights group, contended that the law jeopardizes the votes of some 300,000 residents, mostly racial minorities, seniors, students and people with disabilities and that imposing the photo ID requirement on such short notice "will cause chaos at the polls".

Although the Supreme Court has wavered in the past, such as allowing discriminatory practices like the southern poll tax to stand during Jim Crow years, as a general trend it has supported the right to vote as the fundamental constitutional right of each citizen that should not be superseded by administrative convenience.

State officials argued that they had been implementing the photo ID rule since early September. "Plaintiffs are asking this court to pinball state and local election officials between enforcing and not enforcing the law with November elections less than four weeks away," their brief said. "Voters would get the pinball treatment, too."

Thursday's ruling blocks, for now, the vision of large numbers of registered voters, mostly racial minorities and seniors, being turned away from polls. If that were to happen, the result of the election might have to be blocked or reversed by the courts.

The Walker Administration, through its Republican Attorney General J.B. Van Hollen, has pledged to continue the fight to implement the law.

But, at least for now, it's off again.

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