



Panelists were (from right) Jacquelyn Callanen, Bexar County elections administrator; Henry Flores, director of the Master of Public Administration program at St. Mary's; Satinder Singh, staff attorney for the ACLU of Texas; David Saleh Rauf, Austin Bureau reporter for the San Antonio Express-News and Houston Chronicle; and Nina Perales, vice president for Litigation for MALDEF. Madhu Sridhar, (inset photo) organized for the forum and Albert Kauffman was the moderator.

Forum panelists clarify voter ID law

By *GLEND A WOLIN*

With the clock ticking fast toward early voting and the state voter ID law changing by the day, Texans are confused about who can vote and with what ID. To help clear the confusion, the League of Women Voters of the San Antonio Area, in cooperation with the American Constitution Society Student Chapter at St. Mary's University School of Law, held a forum titled "Texas Voter ID Law: Where We Are Today" Sept. 20.

First, some background: When the Fifth Circuit Court of Appeals ruled in July that Texas' 2011 Voter ID law violated the federal Voting Rights Act and sent it back to U.S. District Judge

Nelva Gonzales Ramos for a temporary fix for the Nov. 8 general election, it seemed the problem was solved. All sides agreed in August on a plan to broaden the types of identification allowed and to educate the public about the changes.

But then the federal government and others said the state was issuing inaccurate information about the fix, making it seem that fewer people could take advantage of it than the court intended.

So on Sept. 20, Ramos ordered changes to press releases, educational matter, posters for polling sites, training material for election workers and other information to accurately reflect what the court ordered.

At the Voter ID forum, more than 60 people heard a panel of experts discuss such issues as what led to the law and the changes, what is likely to happen next and how it affects voters.

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View forum on NOWCastSA

The entire forum can be viewed on NOWCastSA. The link is on the LWV-San Antonio website, <http://www.lwvsanantonio.org>, and on <http://nowcasts.com/blogs/webcast-texas-voter-id-law-forum>

Moderator was Albert Kauffman, professor of law at St. Mary's School of Law, a long-time civil-rights attorney and for nearly 20 years the senior litigating attorney for the Mexican American Legal Defense and Educational Fund (MALDEF) in San Antonio.

Panelists were Jacquelyn Callanen, Bexar County elections administrator; Henry Flores, director of the Master of Public Administration program at St. Mary's, an expert witness in more than 50 federal voting and civil rights lawsuits and author of several books about Latinos and the law; Satinder Singh, staff attorney for the ACLU of Texas; David Saleh Rauf, Austin Bureau reporter for the San Antonio Express-News and Houston Chronicle who has been covering the Voter ID law; and Nina Perales, vice president for litigation for MALDEF and a veteran of many voting rights cases nationally, including before the Supreme Court.

Callanen said she is thrilled with the new law. "They have made it so easy," she said.

Before the Voter ID law went into effect, 60 to 75 percent of voters used their drivers license rather than their voter registration card at the polls, she said, so they were used to showing one of the IDs required by the Voter ID law.

But "if someone didn't have one of the very strict seven, they voted provisionally. Then they were given more paperwork that said now you have six

"They have made it so easy."
Jacquelyn Callanen



days to come to the election office to show your ID and then we will count that vote."

But since the Voter ID law went into effect in 2013, only 32 people have cast provisional ballots in Bexar County, she said, and only three have come in to "cure" them by showing their ID. Those other votes were not counted.

Now, people without the any of the seven approved IDs may bring many more common forms of ID to prove who they are. Callanen emphasized, though, that this process applies only to people who have already registered to vote. No one can walk into a polling place and vote with an ID if they have not already registered.

They must also sign the Reasonable Impediment Declaration, on which they swear under oath that they are who they say they are and that they face a reasonable impediment or difficulty that prevents them from getting the acceptable form of ID. They must also explain what that impediment is by checking one of several boxes with various reasons, including "Other." No one at the polling site can question the reasonableness of the stated impediment.

The declaration is available to look at here: <http://www.bit.ly/impeddoc>

To help avoid long lines at the polling places, Callanen has arranged for a "greeter" or pre-checker at each site this year to ask people about any forms they might need and get them filled out before they get to the front, including if they have one of the seven acceptable IDs or if they'd like to vote using the Reasonable Impediment Document.

The added person is partly because of the new law, and partly because, as Callanen proudly announced, as of Sept. 20, Bexar County had a record 1,022,067 registered voters, compared to 930,000 for the last presidential election.

So how did we get here?



"The voter ID law we have is really the latest iteration of racially discriminatory barriers that are part of Texas culture."
Henry Flores

Flores talked about how, when he started working on voting rights cases in 1986, he was told that because of the large number of lawsuits brought against Texas and entities in Texas, the state had singlehandedly written the history of voting discrimination laws in the United States.

Not believing it, he was stunned to discover later in doing research for a book that up until 2013, Texas entities had been sued 189 times for voting rights violations. The man was right, Flores said. "We have led the nation in crafting voting rights law.

"Why? The voter ID law we have is really the latest iteration of racially discriminatory barriers that are part of Texas culture.

"Racism is an important thread in the fabric of the way Texas thinks about politics," he said. "And it will do anything to create barriers to prevent Latinos, African Americans, Asians from participating in the political process."

In reality though, he said, racism is an excuse for the fact that the old regime doesn't want to let go of political power.

"What you're looking at is the last gasp of the old white man," Flores said. "The fear of what will happen if they lose control of the political apparatus; the fear that Texas as we know it will disappear."

Flores closed with what he found

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most interesting about the history of the Voter ID law. In 2005, when the idea was first broached, it was to prevent illegal aliens from crossing the border and casting ballots, he said. By 2011, it was all about protecting the security and integrity of the ballot; there was no mention of race, yet the substance of the bill stayed the same. “Racial rhetoric had changed,” he said.

Singh, the ACLU attorney, talked about how Texas wasted no time implementing the Voter ID law when the Supreme Court invalidated preclearance – the part of the Voting Rights Act that required certain states to get federal approval for changes in laws involving issues such as voting.

“June 25, 2013 – I remember the date, because that’s also the date Texas went ahead and began enforcing the Voter ID law, which up to that date had been stuck in preclearance,” he said. The law had been passed in 2011.

“They didn’t wait a day. They said ‘This is it, let’s go.’”

He gave a brief timeline of the law’s trip through the courts.

After the Voter ID law went into effect, it went before Judge Ramos with plaintiffs claiming that it disproportionately affected minorities, and that the intent as well as the effect of the law was to make voting more difficult for minorities. The court ruled in favor of both claims in 2014.

Texas appealed. The circuit court agreed on the first point but not on the second, the intent of the law. It was sent back to Ramos to come up with

“... I remember the date, because that’s also the date Texas went ahead and began enforcing the Voter ID law ...”

Satinder Singh



“So much confusion there are groups that will be setting up voter hot lines to answer questions.”

David Saleh Rauf



the temporary fix for November and to reconsider evidence that the law intentionally targeted minorities. A hearing on that is Jan. 24.

Rauf, of the Express-News and Houston Chronicle, talked about the public’s reaction, which he described as “confusion. So much confusion there are groups that will be setting up voter hot lines to answer questions. You see a counter-effort to what’s going on with the state’s education efforts because people don’t believe the state is genuinely educating people on what they can do or how easy it is to vote.”

Covering the latest twists and turns in the case is more difficult than it seems to people when they read a story in the newspaper, he said. Multiple sources all hold different pieces of the puzzle and “when convenient will posture on TV or in fundraising newsletters, but when you ask them for details on what’s going to be happening going forward, have zero details.”

Perales went back in history to illustrate the dance, as she called it, between Texas and minority voters, a push-pull of minorities moving forward and Texas pushing back over voting rights through the years in a pattern that largely led to Texas being brought under federal supervision in the 1970s for voting practices.

A perfect example she gave was the white primaries of the 1920s, when Texas was a one-party state and the Democratic primaries were where the main choices were made. In 1923,

Texas decided only white people could vote in primaries, so a black El Paso physician went to court, fought all the way to the Supreme Court and won.

That didn’t stop Texas, which, the same year, passed a law authorizing political parties to decide for themselves who can vote in primaries.

“Lo and behold, the Democratic party decided that only white people can vote in the Democratic primary.”

Those rules were struck down in 1932. The back-and-forth continued until 1953, but there was still the poll tax, which was even more effective because poor people had to choose between feeding their families and using the money to vote. It was finally struck down in 1966. So then what happened?

“The first bill in the first called emergency session in the Texas Legislature was an annual voter registration requirement. ... Can you imagine what an awful project that would be, to try to get the entire voting roll to re-register every year?”

But it did, until 1971.

Perales also noted that the federal Department of Justice blocked one or more redistricting plans in every decade since the 1970s for being discriminatory against Latinos and or African Americans.

So we come to today, as we await early voting beginning Oct. 24 and another new step in the Texas push-pull.

“Lo and behold, the Democratic party decided that only white people can vote in the Democratic primary.”

Nina Perales



Conducting an election is a big job, part two

Part 2 of a 2-part story on the Bexar County Elections Department.

By DIANN ANDY

September's Voter article focused on the how the elections office came to be and what it does; costs involved in running an election; and the equipment, which is old and outdated. This month, we look at the personnel; how efficiencies are affected; and ways to improve the voter experience.

Personnel

County Manager David Smith determines how the Bexar County Elections Department (BECED) is staffed. Under Jacquelyn Callanen, BECED staff undergo background checks every two years. They are vetted, trained, and dedicated to ensuring that Bexar County's elections are well-run and trustworthy.

Bexar County Elections has just 19 staff (half what Tarrant County, with a similar population, has), of which nine are department heads. These staff members handle:

- ◆ Voter Registration: including voter verification, communications, and constantly researching and updating the voter database

- ◆ Elections: establishing polling locations, transporting equipment to and from polling sites; recruiting, training and supporting elections judges and clerks; publishing, mailing and verifying returned mail-in ballots, handling challenges and provisional votes

- ◆ Technology: managing databases, the website, voting machines, supporting computers, servers, phones and laptops

- ◆ Geographic Information Systems (GIS): including updating subdivisions

- ◆ Operations: warehousing equipment, supplies, and archives

Bexar County has grown by almost 11 percent since 2010, according to the U.S. Census Bureau. We had under 900,000 registered voters in 2011, before the new Voter ID requirements went into effect. We now have more than 1,022,000 registered voters. Bexar County Elections has continued with a staff of 19 for those five years. However, two staff positions now primarily support the Department of Public Safety's efforts to provide valid IDs.

Bexar County has gone from 288 polling locations a few months ago to 303 for the November election. In the upcoming countywide election, it will be necessary to field the following staff:

- ◆ 7 election warehouse employees (of whom 4 are temporary/part-time)

- ◆ 60 phone bankers, of which only 16 will be full-time employees, to assist with over 600 election judges' questions. In addition, the phone bank will include five technicians to solve tech-related issues.

- ◆ 100+ election technicians, each of whom will serve multiple polling locations (all of whom are temporary/part-time)

- ◆ 606 election judges (all of whom are temporary/part-time)

- ◆ 900+ election clerks (all of whom are temporary/part-time)

Efficiencies

The Commissioners Court has to approve the budget for every election. Last year there were 14 elections in 12 months. This year we have scheduled nine since January.

After each election, the auditors must go back to Commissioners Court to get the payroll for the temps approved, even though that was in the budget provided prior to the election.

It is difficult to maintain an annual budget when elected officials (including school board members and constables) opt not to fulfill their terms.

Every election has costs. For example, the two-person Jan. 26 special runoff election for the District 118 State Representative seat cost \$186,000. Texas used to hold elections only in February, May, September and November.

That did simplify things. However, when school districts held elections in November, those who voted a straight party ticket sometimes ignored the school districts' candidates and issues.

It should be noted that county clerks can refuse to hold an election or can levy a surcharge for special elections; however, this is not usually done.

Now, with the 5th Circuit Court of Appeals' July 20 ruling that Texas' voter identification law violates the Voting Rights Act prohibiting racial discrimination in elections, our government is scrambling to address the required remedies. State officials are experimenting with new require-



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ments and forms. This means that elections departments around the state are receiving new information regarding what identifications and forms they must use to qualify a voter on a weekly, even a daily basis. Naturally, this affects the materials published for every voting location as well as those prepared for training the 1,600+ judges, clerks and technicians of Bexar County. Training has begun; however, the latest ruling requires revisions in many printed materials, and possible additional court rulings may require more changes.

Improving Experience

Having to drive to a polling place that, although close to one's home, may be a significant distance from one's work only to face long lines and delays in matching Voter IDs with the database, sometimes exacerbated by malfunctioning and elderly equip-

ment, can discourage voter participation. Currently, it seems too much to ask that the state approve online or cell phone registration and voting, though many maintain that the technology exists to ensure voter integrity. In the meantime, it has been suggested that the following would improve the efficiency and accuracy with which voters are registered and able to vote:

1. Approve and fund new voting machines, supporting equipment, and training.
2. Allow the use of modern technologies, some of which are already being used by our military serving overseas, including online registration and allowing cell phones into polling places to expedite operations.
3. Properly staff and fund the elections department. This would enable increased voter validation and database updating procedures and reduce the need for overtime and/or part-

time/temporary staff recruitment, training and support.

In Summary

It bears repeating that, despite having to use outdated, unsupported technology, despite being understaffed, despite the need to hold more than 12 elections per year, Bexar County elections run smoothly and election results are widely trusted. The Bexar County Elections Department administrator and her staff deserve our thanks for managing a huge job with grace, efficiency and integrity. Voters would benefit if BCED were able to modernize our voting machines, to automate voter registration, and to increase fulltime staff and funding.

To see Part 1, go to <http://www.lwvsanantonio.org>, and click on LWV San Antonio Newsletter, then Latest Voter.

Why vote?

By *BILL ALTEMEIER*

Nov. 8 is Election Day, the day the League and other organizations find out how well we've done at getting Texas voters to the polls. Our main goal is, after all, to get educated voters involved in government. How has this been going? In the 2012 presidential election, 49.7 percent of eligible Texans voted. The bad news is this was forth-lowest turnout of any state in the nation. The good news is this rate should be easier to top this year.

How can turnout be increased? First, you have to know why people say they don't vote. Answers vary, but two main excuses involve a lack of motivation.

* First: One vote doesn't make any difference.

How can the League counteract this? Isn't it true that elections are almost never won or lost by one vote? This assumes the only way we matter is by our single ballot. It assumes each of us is independent, separate from everybody else, and what we do or don't do has nothing to do with anybody else, has no influence on what others do or don't do. The opposite is true: We are all connected. We talk to each other, we write, text, email and argue about our principles and values before elections. Millennials are especially well connected but have one of the lowest turnout rates. So, what's important is what each of us believes and plans to do about voting, and that we spread the word.

* Second: I'm dissatisfied with the candidates. All they want to do is fight with the other party and get

re-elected. What does government do for me? Why would I vote for those guys?

What can the League say to this excuse? This is a reason to vote, not a reason to stay at home. Actually, poor turnout is probably the main cause of government dysfunction. A Pew Research study found that a much higher proportion of the 20 percent who always voted either a straight Republican or Democratic ticket were more likely to show up at the polls compared to voting rates for the remaining 80 percent. So, all a candidate need do is appeal to those who vote, and that means favor the most ideological. Why wouldn't candidates fight with the other party if that will help get them re-elected? And why should he or she care about constituents who don't vote?

Democracy doesn't work if it people don't vote.

League welcomes three new members

Laura Ann Valle

I was born and grew up in San Antonio, and both my parents are also from South Texas. I earned my BA in Sociology at UTSA years ago, and for the last 10 years, I've worked as an LVN.

At this time I'm working on changing careers into teaching. I'm in my second semester in the Master's degree in Teaching English as a Second language (TESL) program at UTSA. I hope to graduate in May 2018 and to have the opportunity by next summer to do a teaching internship in Mexico – or maybe somewhere overseas. I'm interested especially in teaching adults and helping refugees and newcomers to the U.S. who need to learn basic English survival skills.

The reason I want to get involved with the League is because I would like to get more involved in the political process in my city. After spending the last six years volunteering my time with the Libertarian party and helping independent and third party (including Green Party) candidates,

I'm hoping I can help increase the participation of independent and third party candidates in the political process.

I'm also interested in getting to know more about other aspects of the voting process, such as electronic voting machines, voter ID laws and their impact on voter turnout. In my new role as a teacher, I hope that I can help contribute to the mission of the League by helping with general voter education projects.

Laurel Swift

I am 47, a fourth generation San Antonian, and a mother of five. I graduated from UTSA and have worked in medical sales for the past 15 years. I enjoy the outdoors, reading, painting, travel, and spending time with my family. I have two daughters in college at UT Austin, and a stepson and daughter who are 12th and 8th graders, respectively, in the Alamo Heights school system. My oldest daughter graduated from Trinity, earned her masters from Texas State and is now teaching Eng-

lish in Thailand. My husband, John, is also in medical sales.

The current political landscape has prompted me to become more educated on the issues that affect my city and state, and our country. I have put together a group of women who get together monthly, book club-style, to discuss issues in a non-political forum. I ran across LWV doing some internet research for our next meeting, where we plan to discuss the election process. I am concerned about our environment, income inequality, and our faltering healthcare system, among many other things. I hope to expand my knowledge about local and national issues and politics through the League of Women Voters, and, ultimately, become more involved in public service.

Kim Grossett

I am a student taking advantage of the student membership rate, but I'm 49! I was on your website for something else and it dawned on me: "Why am I not a member of this!?"

I started college when my son was in 8th grade and I began to wonder what I would do after he graduated and left for college. I will graduate from UTSA next May with a degree in English and a Secondary (high school) Teaching Certificate and a minor in Museum Studies. I plan to teach high school English.

I am also taking violin lessons, folklorico dance lessons, and I just joined a bowling league with some of my fellow college students. Can you tell that I'm trying to stay busy since my only child is away at Georgetown University in Washington, D.C.? I plan on volunteering for at least one political candidate as the election gets closer.

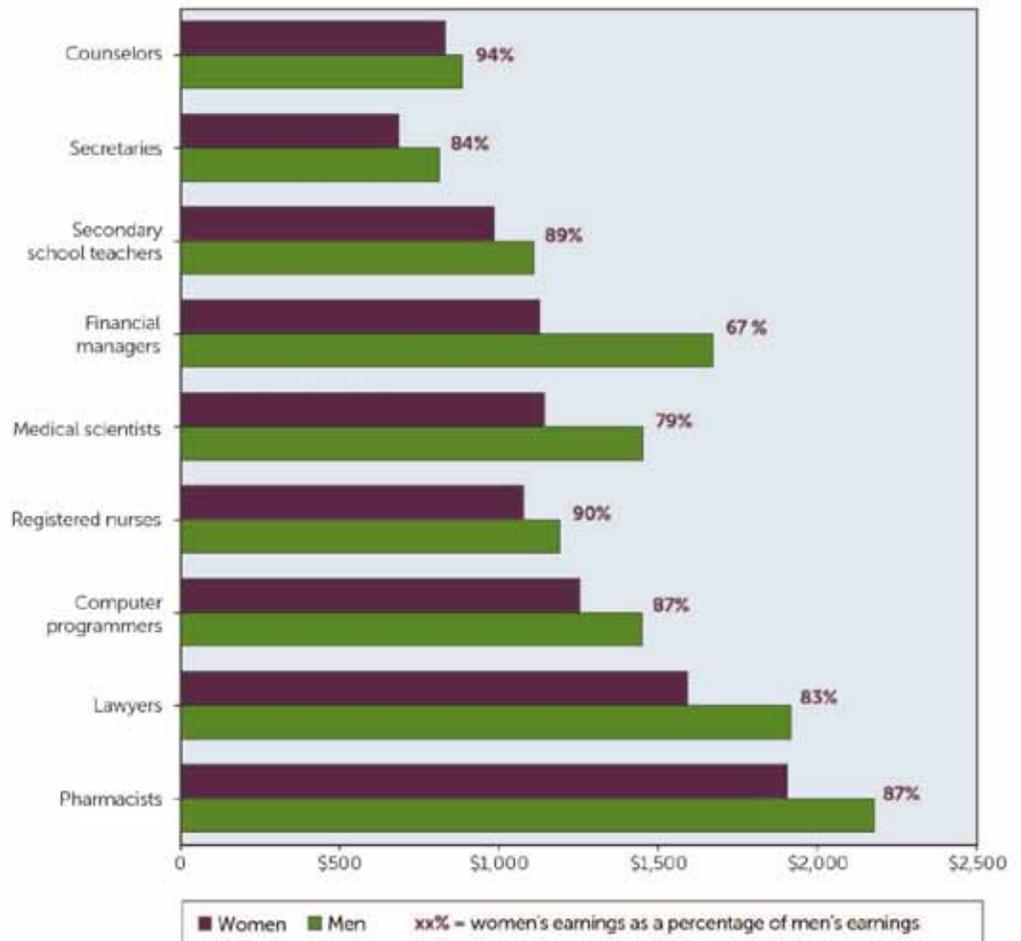
Looking forward to getting involved with the organization, especially during this important time.



The pay gap across occupations

The gender pay gap in median weekly earnings among full-time workers in selected occupations, 2014

Source: U.S. Department of Labor, Current Population Survey



In nearly every line of work, women face a pay gap. And jobs traditionally associated with men tend to pay better than traditionally female jobs.

‘Can We Talk’ discusses women’s pay

It was a great night – a really professional speaker, good food and wine. The theme of the Aug. 24 event sponsored by Can We Talk was: About Why Women’s Pay Is in the Red.

Malinda A. Gaul, national director of American Association of University Women (AAUW) and a San Antonio labor and employment attorney, made a compelling case for gender pay equity. She presented several statistics to support the need for change. Included were the following:

In nearly every line of work, women face a pay gap. Among the many occupations studied by the Bureau of Labor Statistics, women’s earnings are higher than men’s in only a handful.

Jobs traditionally associated with men (like computer programming and aerospace engineering) tend to pay better than traditionally female jobs (like nursing and administrative support) for the same level of skill required. And women and men still tend to work in different kinds of jobs. This segregation of occupations is a major factor behind the pay gap.

While earnings tend to increase with education level, education does not eliminate the pay gap. The pay gap exists at all levels of education and, in some cases, is larger at higher levels of education.

For example, women with less than a high school diploma were paid 80 percent of what their male

peers were paid in 2015, whereas women with advanced degrees were paid only 74 percent of what men with advanced degrees were paid.

The League of Women Voters of the San Antonio Area contributed by donating two red purses with toiletries and \$25 cash in each, which will be donated to women who are dependent on charity.

Arlis Olson, the league’s representative to Can We Talk, said her only regret was that not more LWV members attended. She said it is one of the few events she still finds affordable.

Can We Talk is a coalition of over 65 women’s organizations in San Antonio.

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League activities

Organization Report

We want to remind all members that our annual fundraiser is fast approaching. We will be honoring Amy Hardberger for all the work she has done for water conservation in San Antonio.

The fundraiser will be held at 11:30 a.m. on Wednesday, Oct. 12, at Magnolia Gardens. You may purchase tickets thru Brownpaperbags.com, or you can send your check to Nancy Price or to our treasurer, Theresa Poenisch.

We encourage you all to share the flyer, which was sent by email to all our members, with your friends and acquaintances. Better yet, call them and invite them to come.

This is our only fund raiser of the year. It is how we pay for our Voter Guides as well as maintain an office. Check out our website for all the details.

-- *Martha Lankford, Vice President, Organization*

Voter Service Report

Voter Service has been very active as we reach the heart of election season. The League has provided "Why Vote" brochures to Delta Sigma Theta and Alpha Kappa Alpha to assist in their mobilization efforts. We are also collaborating with Mi Familia Vota and NALEO to provide speakers at four public libraries on "How to Select a Candidate" as well as do voter registration. Thanks to Patty Manea for being one of the speakers.

As part of our National Voter Registration efforts, we are collaborating with SAISD to provide deputy voter registrars in several of its schools to register staff and parents. Thanks to Joanna Bourne, Mike Davis, Beverly Hebert, Sue Robertson-Dodd and Rowena Rodgers for helping out.

We were also able to connect SAISD with several other groups to register voters. In addition, Arlis Olsen will register voters at the Army Retirement Center.

Glenda Wolin did a voter registration at San Antonio Residence and Rehabilitation Center, Sue Robertson-Dodd will be doing one at the Law Office of Jim Adler, and we will be doing one at Career Point.

Voters Guide questionnaires have been sent to all candidates in contested races. Our goal is to have the printed guide distributed the week prior to the start of early voting.

-- *Phyllis Ingram, Director of Voter Service*

Upcoming Events

Candidate Forum, Judicial and Sheriff candidates at UTSA downtown campus, 6 p.m. Oct. 5.

Bravo Luncheon fundraiser honoring Amy Hardberger is Oct. 12 at 11:30 a.m. at Magnolia Gardens. Tickets are available at bit.ly/bravoawards

Early voting for the Nov. 8 primary begins Oct. 24. Last day to register for the election is Oct. 11.