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## **Voting Rights Is an LGBT Rights Fight** <sup>[1]</sup>

### **Author(s):**

Candace Bond

As we mark the 50th anniversary of the signing of the Voting Rights Act of 1965, it is a good time to state clearly and unequivocally that voting rights is an LGBT issue. The right to vote is the cornerstone of our democracy and the fundamental right upon which all our civil liberties rest. Congressional action to restore the landmark law and remedy key voter protections lost in the Supreme Court’s disastrous *Shelby County* <sup>[2]</sup> decision is of immense importance to the LGBT community.

Voter suppression tactics are often used to silence some of the most vulnerable members of the LGBT community. In particular, voter ID laws that require voters to present a photo ID that matches their gender identity can block many transgender and gender nonconforming people from voting. Many transgender individuals find obtaining an updated ID that accurately reflects their gender identity to be incredibly difficult <sup>[3]</sup>. And, many transgender individuals fear the stigma they will face at the polling place if they do not have the “proper ID.”

Asher Schor <sup>[4]</sup>, a former ACLU client in Pennsylvania, is one of those people. The photo on his ID was taken before his transition and the official sex still read “female” and Asher worried that the discrepancy between his identification documents and his gender identity could lead to confusion and a higher level of needless and potentially embarrassing scrutiny from poll workers. He decided to challenge the Pennsylvania voter ID law <sup>[5]</sup> because he wanted to make sure his vote counted and that other transgender individuals could vote in peace. Pennsylvania’s law was ultimately struck down <sup>[6]</sup>, but similar laws in other states <sup>[7]</sup> that discriminate against the transgender community still remain on the books.

Congress now has two bills on the table – the Voting Rights Advancement Act and the Voting Rights Amendment Act – that would restore the Voting Rights Act. Congress needs to act to pass legislation that will enhance the ability of federal courts to order a state or jurisdiction to have its voting changes pre-approved if the court finds any violation of the Voting Rights Act based on discriminatory intent or result, including those resulting from photo ID laws. This week a coalition of LGBT groups and the ACLU announced support [8] of the Voting Rights Advancement Act, because too many eligible transgender and gender nonconforming voters like Asher Schor face being left out of the democratic process due to onerous and discriminatory efforts to suppress the vote. Restoring the Voting Rights Act is an essential first step towards the eradication of these discriminatory efforts and one step closer to a more inclusive electorate.

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- [7] <https://www.aclu.org/issues/voting-rights/fighting-voter-suppression/fighting-voter-id-requirements>
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