

Feds rip Georgia voter system; U.S. Justice: Citizenship checks flawed, racial.; Ga. secretary of state defends process that riles immigrant groups.

The Atlanta Journal-Constitution

June 2, 2009 Tuesday, First Replate Edition

Copyright 2009 The Atlanta Journal-Constitution

The Atlanta Journal-Constitution
ajc.com

Section: NEWS; Pg. 1A

Length: 745 words

Byline: Aaron Gould Sheinin

Staff

Body

As a coalition of pro-immigration groups rallied at the state Capitol on Monday, Georgia Secretary of State Karen Handel was reacting to a U.S. Justice Department repudiation of her system of verifying citizenship of voters.

In a six-page letter issued last week, and released Monday, Justice Department lawyers said Handel's office had created a system that "does not produce accurate and reliable information and that thousands of citizens who are in fact eligible to vote under Georgia law have been flagged."

Handel was not pleased. The decision, she said, "shows a shocking disregard for the integrity of our elections."

Handel and her aides created the system in 2007 under the requirements of the federal Help America Vote Act. The law requires states to verify a voter's identity at the time of registration, but not necessarily to verify citizenship. In creating the system, Handel's office extended the verification process to include citizenship --- something the Justice Department said was "discretionary on the state's part."

But the system that was created, the federal lawyers found, was flawed and of the 7,000 individuals flagged as potential "non-citizens," more than 50 percent were actually U.S. citizens.

Furthermore, the department found, those flagged as non-citizens were overwhelmingly black, Asian or Hispanic.

"These burdens are real, are substantial and are retrogressive for minority voters," Loretta King, the acting assistant attorney general for the Justice Department's Civil Rights Division, said in a letter to the state.

The ruling bars the state from continuing the citizenship verification, although there is some dispute as to whether the original verification for identification can continue.

Matt Carrothers, a spokesman for Handel, said he could not respond to King's contention that minorities were more likely to be flagged because the department would not reveal its methodology. But, he said, there was a significant increase in voting among African-Americans and Hispanics in 2008.

Feds rip Georgia voter system; U.S. Justice: Citizenship checks flawed, racial.; Ga. secretary of state defends process that riles immigrant groups.

She said the state is investigating more than 30 cases of non-citizens casting ballots in the state, including one Henry County woman who believed she was eligible to vote and cast ballots in 2004 and 2006.

Handel's office said she is still considering options, including suing the Justice Department in federal court. In a post to her Twitter account Monday morning, Handel was direct: "If they think that we're not going to fight for this, they're wrong."

The process of verifying voters' identity and citizenship was criticized first last fall by then-Sen. Barack Obama's presidential campaign. The campaign asked the Justice Department to decide whether the system needed to be pre-cleared under Section 5 of the Voting Rights Act, which requires Georgia and other states to have changes to voting laws approved. A federal lawsuit was filed and Justice agreed the rules should be reviewed. While the state was victorious in fending off an injunction for the system, the judge ruled that Justice should review the process.

Elise Shore, regional counsel for the Mexican-American Legal Defense and Educational Fund, one of the groups that sued over the system, said Justice's objection was heartening.

It "recognizes that the state of Georgia has attempted to disenfranchise not only Latino citizens, but Asian-American and African-American citizens as well," Shore said.

Shore responded to Justice's ruling as she stood on the state Capitol steps Monday for a news conference announcing a national push for comprehensive immigration reform. The Georgia chapter of the national Reform Immigration for America campaign called on Washington to enact a "practical, workable solution" that is based on "the rule of law" and "earned citizenship," said Jerry Gonzalez, president of the Georgia Association of Latino Elected Officials.

Similar events were held in more than 30 cities Monday in advance of a three-day campaign summit beginning Wednesday in Washington.

But the call for reform from these groups is dubious, critics said. D.A. King, a Marietta-based illegal-immigration opponent, said it was "the same old mindless propaganda."

King also was critical of the Justice Department ruling on Handel's verification system.

But U.S. Rep. John Lewis (D-Ga.) said the system of citizenship checks was "an attempt to take us back to another dark period in our history when people were denied access to the ballot box simply because of their race or nationality."

Classification

Language: ENGLISH

Publication-Type: Newspapers

Subject: CITIZENSHIP (90%); LAW ENFORCEMENT (90%); VOTERS & VOTING (90%); JUSTICE DEPARTMENTS (90%); CIVIL RIGHTS (89%); ELECTION LAW (89%); MINORITY GROUPS (89%); AFRICAN AMERICANS (78%); ELECTIONS (78%); HISPANIC AMERICANS (78%); CAMPAIGNS & ELECTIONS (78%); US STATE GOVERNMENT (78%); GOVERNMENT ADVISORS & MINISTERS (78%); US PRESIDENTIAL CANDIDATES 2012 (77%); RACE & ETHNICITY (77%); HEADS OF GOVERNMENT ELECTIONS (77%); US PRESIDENTIAL CANDIDATES 2008 (77%); SUITS & CLAIMS (77%); LAWYERS (77%); LITIGATION (77%); ATTORNEYS GENERAL (77%); US PRESIDENTIAL ELECTIONS (77%); HUMAN RIGHTS & CIVIL LIBERTIES LAW (75%); LAW COURTS & TRIBUNALS (72%); IMMIGRATION (58%)

Feds rip Georgia voter system; U.S. Justice: Citizenship checks flawed, racial.; Ga. secretary of state defends process that riles immigrant groups.

Organization: US DEPARTMENT OF JUSTICE (94%)

Industry: LAWYERS (77%)

Person: KAREN HANDEL (79%); BARACK OBAMA (79%)

Geographic: UNITED STATES (93%)

Load-Date: June 2, 2009

End of Document