



**TESTIMONY BY CHICAGO LAWYERS' COMMITTEE FOR CIVIL RIGHTS
BEFORE THE INDIANA SENATE ELECTIONS COMMITTEE
IN OPPOSITION TO SENATE BILL 353
FEBRUARY 15, 2021**

Submitted By:

Ami Gandhi, Senior Counsel
Chicago Lawyers' Committee for Civil Rights^{SEP}
100 N. LaSalle St., Suite 600
Chicago, Illinois 60602
Phone: (312) 888-4193 | E-mail: agandhi@clccrul.org

My name is Ami Gandhi and I am a Senior Counsel at Chicago Lawyers' Committee for Civil Rights, a non-profit, non-partisan organization that has been working for the past 50 years to advance racial equity and economic opportunity for all. The right to vote is fundamental to a healthy democracy. Our voting rights practice area was established to reduce barriers to voting and civic participation, especially in communities of color and low-income communities, to ensure that all eligible voters are able to cast ballots and make their voices heard. I lead our organization's efforts to protect voting rights in Illinois and Indiana, and I reside in Indiana. Chicago Lawyers' Committee for Civil Rights submits this testimony today in opposition to Indiana Senate Bill 353, which requires documentary proof of citizenship for voter registration.

Chicago Lawyers' Committee's work puts us in a unique position to understand voter access barriers from the point of view of the voter. A major component of our work is Election Protection, the nation's largest non-partisan voter protection program, which operates the 866-OUR-VOTE hotline and supports companion lines at 888-VE-Y-VOTA, 888-API-VOTE, and 844-YALLA-US. Our staff and pro bono volunteers answer calls from Illinois and Indiana and have answered thousands of voter questions. Hoosiers called us in record breaking numbers during the 2020 primary and general elections, with many of them experiencing unfair barriers to registering and voting. We are proud to work with Common Cause Indiana, the Indiana State Conference of the NAACP, and national Lawyers' Committee for Civil Rights Under Law on a number of initiatives to strengthen voter access, including litigation challenging Indiana state laws that undermine the fundamental right to vote.

Senate Bill 353 would block registration of eligible voters in violation of the United States Constitution and the National Voter Registration Act. Courts have struck down proof of citizenship laws in Kansas and other states. Requiring documentary proof of citizenship for voter registration will disenfranchise many eligible voters, including Black, Latino, and Asian American citizens. Seniors and low-wealth community members of all racial backgrounds and political parties would also be unduly burdened by having to track down and pay for the citizenship documents called for in the bill.



Senate Bill 353 would worsen already existing racial disparities in voter registration access. Adding onerous and unfair steps to voter registration is a modern-day form of a poll tax or literacy test. This bill would invite illegal racial profiling and discrimination by state and local election authorities and other charged with administering our elections. If documentary proof of citizenship were required, voters who are perceived to be “foreign” would especially be at risk of being unfairly taken off the voter rolls. Voter registration drives in all Indiana communities would be made unreasonably difficult.

This bill is a solution in search of a problem. The facts show in Indiana and across the nation that voter fraud occurs at an exceedingly low rate, given the existing protections to keep non-citizens off voter rolls. Our immigrant communities are well aware of the grave repercussions for non-citizens who vote and have no interest in illegal voting or registration.

Throughout our history and unfortunately still today, rhetoric about voter fraud has been used to disenfranchise and intimidate eligible voters, particularly citizens of color. Given the violent events at the United States Capitol on January 6 and the danger caused by efforts to discredit American elections, this is a frightening moment for the Indiana legislature to perpetuate myths of widespread voter fraud.

Indiana should be tearing down barriers to voting, not erecting new ones. We need more, not fewer, citizens to take an interest in registration and voting. The time is ripe to improve election administration, but this bill would do the opposite. Those states that are legitimately working to improve election administration have been taking actions to make voter registration more fair, accurate, and streamlined. Instead, Senate Bill 353 would take Indiana a big step backward.

As an experienced voting rights and civil rights attorney, a resident of Indiana, and the daughter of immigrants, I am deeply concerned about the disenfranchisement that Senate Bill 353 would cause. Such policies send a message to immigrant citizens and citizens of color – a message that we don’t belong in Indiana. The Indiana Senate Elections Committee should reject the proof of citizenship requirement in Senate Bill 353. Thank you for the opportunity to submit testimony today.