

**The Texas Voter ID Law and the 2016 Election:  
A Study of Harris County and Congressional District 23**

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## EXECUTIVE SUMMARY

In 2016, voter photo ID regulations were once again in force in Texas. This study examines the impact of those regulations on voter participation in the state's two highest profile battleground jurisdictions during the 2016 electoral cycle: Harris County and Congressional District 23 (CD-23). It also explores familiarity among non-voters with the 2016 photo ID rules, rules that have served as the foundation for revised photo ID legislation presently being considered in the Texas Legislature during the 85th legislative session (e.g., Senate Bill 5 and House Bill 2481).

The data employed in the study are drawn from two separate representative surveys of registered voters who were eligible to participate in the November 8, 2016 election but did not cast a ballot (i.e., non-voters). The surveys were conducted in English and Spanish in February and March of 2017, with 424 and 395 interviews completed in Harris County and CD-23 respectively.

Virtually all registered voters in Harris County and CD-23 who did not participate in the November 2016 election possessed one of the state approved forms of photo ID needed to cast a vote in person. All together, 97.4% and 97.8% of non-voters in Harris County and CD-23 possessed an unexpired state-approved photo ID, with these proportions rising to 98.5% and 97.9% when photo IDs that had expired within the previous four years were considered (in 2016 IDs that had expired within four years of the voting date could be used to vote in person). The most common photo ID held by non-voters was a Texas driver license, with 82.9% and 84.1% of Harris County and CD-23 non-voters possessing an unexpired Texas driver license. Among those between the ages of 18 and 25 (who in theory would be the principal beneficiaries of an expansion of the forms of state approved ID to include public college and university IDs), 97.4% and 97.5% of Harris County and CD-23 non-voters possessed an unexpired state approved photo ID, rising to 100% in Harris County (and remaining at 97.5% in CD-23) when expired IDs were considered.

Approximately three-fifths of non-voters in Harris County (58.8%) and CD-23 (63.6%) agreed that one of the reasons they did not vote was because they didn't like the candidates or the issues, making it the reason for not voting with the highest level of agreement in both locales. At the other end of the continuum, approximately one in seven non-voters in Harris County (16.5%) and CD-23 (14.8%) signaled a lack of possession of a state approved photo ID as one of the reasons they did not participate in the 2016 election. Among this sub-set of non-voters whose nonparticipation was attributed at least in part to the photo ID requirements, approximately two-thirds of those with a preference would have voted for the Democratic candidates in the Harris County District Attorney and Sheriff races and in the CD-23 race. This suggests that had these individuals participated, the Democratic candidates in the former two contests would have enjoyed even larger margins of victory and the Democratic candidate in CD-23, Pete Gallego, would have defeated his Republican rival, Will Hurd, instead of losing to Hurd by 1.3% of the vote.

However, when pressed to give the principal reason why they did not cast a ballot in 2016, only 1.5% and 0.5% of non-voters in Harris County and CD-23 identified a lack of a state-approved photo ID as the principal reason they did not vote. Among this handful of non-voters, 86% actually possessed an approved form of photo ID, while 14% did not. While the photo ID law at least partially discouraged some people from voting, an actual lack of a state approved photo ID kept virtually no one (only one non-voter among the 819 surveyed) from turning out to vote in 2016.

Only one in five non-voters in Harris County (21.1%) and CD-23 (17.9%) could accurately identify the photo ID rules in effect for the 2016 election. Three in five non-voters in both jurisdictions (58.4% and 59.7%) incorrectly believed that all voters were required to provide a state approved form of photo ID to vote in person, unaware that voters who did not possess a photo ID could still vote if they signed an affidavit and provided one of several supporting documents. In both Harris County and CD-23, Latino non-voters (15.1% and 14.8%) were significantly less likely than Anglo non-voters (24.3% and 27.6%) and, in Harris County, than African American non-voters (27.9%), to accurately understand the photo ID rules governing the 2016 election. Latino non-voters in both locales also were significantly more likely than Anglo (and in Harris County, African American) non-voters to believe that the 2016 photo ID rules were more restrictive than they actually were.

Three out of four Harris County (74.2%) and CD-23 (75.1%) non-voters incorrectly believed that only an unexpired Texas driver license qualified as a state approved form of photo ID to vote in person in 2016. A mere 14.4% and 13.8% of non-voters in these two jurisdictions were aware that in 2016 an expired Texas driver license could also be used as long as it had expired within the past four years. In Harris County, Latinos (82.4%) were significantly more likely than Anglos (72.3%) to believe they could only use an unexpired Texas driver license as a form of photo ID to vote in person in 2016. In CD-23 there were however no significant differences between Latino (75.4%) and Anglo (76.8%) non-voters.

The survey data clearly indicate that non-voters in Harris County and CD-23 did not have a good understanding of the voter photo ID rules in force for the 2016 election. Only one in five non-voters were aware that it was possible for registered voters who did not possess one of the seven state approved forms of photo ID to still vote in person by signing an affidavit and providing one of many easily obtainable supporting documents. And, only one in seven non-voters knew that an expired (within four years) Texas driver license qualified as a state approved photo ID for the purposes of voting in person in 2016.

The uninformed and misinformed state of the Texas non-voting electorate in 2016 highlights the need for a more robust state-sponsored voter education campaign to increase public knowledge regarding the photo ID rules that will be in effect in 2018 when Texans vote in races to choose elected officials for positions ranging from U.S. senator and governor to county judge and constable.

## **The Texas Voter ID Law and the 2016 Election: A Study of Harris County and Congressional District 23**

The 2016 election represented the second general election in Texas where voter photo ID rules were in force. In an effort to better understand the impact of the state's photo ID rules on voter participation, we conducted surveys of non-voters in the Lone Star State's two highest profile battleground jurisdictions: Harris County and U.S. Congressional District 23 (CD-23).

This report contains nine sections. Section II reviews the history of voter photo ID regulations in Texas over the past half dozen years. Section III briefly discusses the two jurisdictions examined in the study, Harris County and CD-23. Section IV provides basic details on the survey methodology. Section V describes the non-voter population in regard to ethnicity/race, partisanship, and voting preferences. Section VI details the extent to which these non-voters possessed one or more of the state-approved forms of photo ID required to cast a vote in person in 2016 (without completing an affidavit) as well as the level of approved photo ID possession across ethnic/racial groups and age cohorts. Section VII analyzes the reasons why these non-voters did not participate in the 2016 electoral process, both in general as well as in regard to the principal reason these non-voters listed as the reason they did not cast a ballot in the fall of 2016, while at the same exploring what the hypothetical electoral consequences of this non-participation were for the outcome of several high profile competitive races. Section VIII assesses non-voter knowledge regarding the photo ID rules that were in effect for the November 8, 2016 election as well as the extent to which knowledge levels differed across ethnic/racial groups. Section IX concludes.

### **II. Voter ID in Texas: 2011-2016**

In 2011, the Texas Legislature passed Senate Bill 14 (SB 14) that created a new requirement for voters to show *photo* identification when voting in person (Hobby et al. 2015).<sup>1</sup> Initially, the U.S. Department of Justice (DOJ) argued that Texas's voter photo ID law disproportionately placed an undue burden on minority voters and thus rejected the Texas law, a decision upheld by the U.S. District Court for the District of Columbia on August 30, 2012. However, on June 25, 2013, the U.S. Supreme Court decision in *Shelby County v. Holder* removed for the present time the requirement that Texas seek federal approval for election law related changes, and subsequently the 2011 voter ID law immediately took effect. While a U.S. District Judge (Judge Nelva Gonzales Ramos of the United States District Court for the Southern District of Texas based in Corpus Christi) struck down Texas's voter ID law on October 9, 2014, a panel for the U.S. 5th Circuit Court of Appeals issued a preliminary injunction against the ruling of the U.S. District Court, which then was confirmed 6-3 by the U.S. Supreme Court on October 18, 2014. As a result, Texas's photo ID law was in force for the

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<sup>1</sup> Texas enacted a voter identification requirement in 1971. However, it did not require a photo ID.

November 2014 election, requiring a state-approved form of photo identification in order to vote in person. The approved forms of photo identification were as follows:

- Texas driver license issued by the Texas Department of Public Safety (DPS);
- Texas Election Identification Certificate (EIC) issued by DPS;
- Texas personal identification (ID) card issued by DPS;
- Texas concealed handgun license (CHL) issued by DPS;
- United States military identification card containing the person's photograph;
- United States citizenship certificate containing the person's photograph;
- United States Passport.

Photo identification was not required to cast an absentee/mail ballot in Texas, but no-excuse absentee voting is almost exclusively limited to those 65 and older. All other voters must either be disabled, in jail (but otherwise eligible to vote), or out of town on election day and during the entire early voting period (October 20 to October 31 in 2014) in order to cast an absentee ballot.

On July 20, 2016, the U.S. 5th Circuit Court of Appeals concurred with Judge Gonzales Ramos that the Texas photo ID law had a discriminatory effect and did not comply with the Voting Rights Act. As a result, an interim set of rules issued by the judge and accepted by the plaintiffs and the state of Texas was in force for the November 2016 election (Jones et al. 2016). The approved forms of photo identification were as follows:

- Texas driver license issued by the Texas Department of Public Safety (DPS);
- Texas Election Identification Certificate (EIC) issued by DPS;
- Texas personal identification (ID) card issued by DPS;
- Texas concealed handgun license (CHL) issued by DPS;
- United States military identification card containing the person's photograph;
- United States citizenship certificate containing the person's photograph;
- United States Passport.

In contrast to 2014 when the photo IDs above had to either be unexpired or to have expired no more than 60 days prior to the date they were being presented at the polling place, under the court-ordered agreement in force for 2016, all of the photo identification was considered valid if it had expired no more than four years prior to the date it was being presented at the polling place.<sup>2</sup>

As in 2014, photo identification was not required to cast an absentee/mail ballot in Texas, but no-excuse absentee voting was still limited to those 65 and older. All other voters had to either be disabled, in jail (but otherwise eligible to vote), or out of town

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<sup>2</sup> An exception to this four-year window existed for the U.S. citizenship certificate containing a photograph. A copy of a Texas Secretary of State public education poster on the 2016 rules is contained in Appendix I.

on election day and during the entire early voting period (October 24 to November 4 in 2016) to vote absentee.

And, also in contrast to 2014, registered voters who did not possess, and could not reasonably obtain, one of the above-mentioned seven forms of photo ID could vote as long as they completed an affidavit at the polling place explaining why and also presented one of the following supporting documents:<sup>3</sup>

- Valid voter registration certificate;
- Certified birth certificate (original);
- Copy of or original current utility bill;
- Copy of or original bank statement;
- Copy of or original government check;
- Copy of or original paycheck;
- Copy of or original government document with name and an address (original required if it contains a photograph).

At present, proceedings are underway in the U.S. District Court to assess whether or not the 2011 voter photo ID was passed with discriminatory intent. At the same time, legislation is currently under consideration in the Texas Legislature that would modify the original legislation passed in 2011 to make it closer in form and impact to that which was temporarily in force for the 2016 general election.

Hobby et al. (2015) examined the impact of Texas's voter photo identification regulation in the November 2014 election using a case study of voter behavior, preferences and attitudes in CD-23. A survey of 400 CD-23 registered voters who did not vote in the November 2014 election indicated that for 5.8% of these non-voters the principal reason given for why they did not vote was because they did not possess any of the seven forms of photo identification required by the state to cast a vote in person. More than twice that many (12.8%) agreed that their lack of any one of these seven photo IDs was a reason they did not vote.

However, when further queried about the different forms of photo identification in their possession, the survey revealed that a much lower proportion (2.7%) of CD-23 non-voters in fact lacked one of the seven needed to vote in person. In all, while 12.8% and 5.8% of these non-voters cited a lack of a photo ID as a reason or the principal reason they did not vote, only 1.0% and 0.5% of the respondents both respectively attributed their non-voting in part or primarily to a lack of photo ID and actually did not possess an approved form of photo ID.

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<sup>3</sup> In the 2016 election more than 16,400 Texas voters, out of a total of 8,969,226 voters overall (or, 0.2%), signed an affidavit that they had a reasonable impediment that kept them from obtaining an approved photo ID (Malewitz 2017).

The 2015 study suggested that the most significant impact of the Texas voter photo ID law on voter participation in CD-23 in November 2014 was to discourage turnout among registered voters who did indeed possess an approved form of photo ID, but through some combination of misunderstanding, doubt or lack of knowledge, believed that they did not possess the necessary photo identification. The disjuncture between the proportion of voters who listed a lack of an ID as a reason or the principal reason they did not vote and the proportion of these individuals who actually did not have an ID highlighted the potential for voter education campaigns to clearly explain the types of photo identification required to cast a vote in person in Texas. The study also examined the potential impact of the Texas voter photo ID law on the outcome of the 2014 election in CD-23 between Pete Gallego and Will Hurd in which Hurd narrowly defeated Gallego. It suggested that the presence of the law kept far more Gallego than Hurd supporters away from the polls, quite possibly costing Gallego the election.

### **III. Purple Texas: Harris County and Congressional District 23**

In Texas in November 2016, there existed a notable dearth of high profile competitive electoral contests, with an overwhelming majority of congressional, state legislative, and county offices either safely Republican or Democrat, with all statewide seats in the state safely in the Republican column at the present time. Texas Democrats last won a statewide race more than twenty years ago in 1994.

For this study we scoured Texas for high-profile and consequential races whose outcome had not been effectively pre-determined well before November by the partisan composition of the jurisdiction's voters. In November 2016 the three highest profile competitive races in "purple" jurisdictions were held in CD-23 (the only one of Texas's 36 U.S. House districts that is neither safely Republican nor Democrat) and in Harris County for the offices of district attorney and sheriff. These three races represent excellent test cases for the potential impact of Texas's voter photo ID legislation on electoral outcomes, since if the legislation does have an effect in highly salient contests, it would be most likely observed in CD-23 and Harris County.<sup>4</sup>

With a population of 4.6 million, Harris County is far and away the most populous county in Texas as well as the third most populous county in the United States. The county's population is greater than that of 25 of the 50 U.S. states. Unlike Texas's other mega-counties which are either dominated by Democrats (Dallas, El Paso, Travis, and, to a lesser extent, Bexar) or Republicans (Tarrant), Harris County remains competitive with candidates from both parties having a realistic chance of victory in any given election (with Democrats enjoying a slight edge in presidential election years and Republican enjoying a slight edge in gubernatorial election years).

Over the past three election cycles held under the current district boundaries created in 2011, CD-23 has been the only one of the state's 36 U.S. House districts that was not

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<sup>4</sup> A map of CD-23 is provided in Appendix II.

either safely Republican or safely Democrat. In the first election held using the current district boundaries (2012), the Democratic challenger, Pete Gallego, narrowly defeated the Republican incumbent, Francisco “Quico” Canseco, 50.3% to 45.6%. In 2014, Republican Will Hurd even more narrowly defeated Gallego, 49.8% to 47.7%, and in a 2016 rematch, Hurd defeated Gallego again, by the even narrower margin of 48.3% to 47.0%. CD-23 encompasses 21 complete counties and portions of three others, stretching from San Antonio (Bexar County) to Eagle Pass (Maverick County) on the U.S.-Mexico border, and out to the lower El Paso valley (El Paso County) on the outskirts of El Paso.

In Harris County, 1,388,898 (63.6%) of the county’s 2,182,980 registered voters turned out to vote in 2016 while 794,082 (36.4%) did not cast a ballot on election day, early in person or by mail. In CD-23, 234,779 (54.9%) of the district’s 427,676 registered voters turned out to vote in 2016 while 192,897 (45.1%) did not cast a ballot on election day, early in person or by mail.

#### **IV. Survey Methodology**

Two random samples were drawn from lists provided by Opinion Analysts Inc. (Austin, Texas) of registered voters in Harris County and CD-23 who were eligible to vote on November 8, 2016, but who did not vote early, on election day, or by mail (throughout this report these individuals are referred to as non-voters). Customer Research International (San Marcos, Texas) conducted the survey in English and Spanish using live operators between February 6 and March 9, 2017. A total of 424 and 395 interviews were completed for Harris County and CD-23 respectively in rough proportion to the sex, age and ethnicity of the population of non-voters (based on the voter files), with the final data weighted for analysis in proportion to the sex, age, and ethnicity of the non-voter population in Harris County and CD-23 respectively. The margin of error for both survey populations was +/- 4.8% in Harris County and +/- 4.9% in CD-23.

#### **V. Non-Voters: Ethnicity/Race, Partisanship, Voting Preferences**

Tables 1A and 1B provide the ethnic/racial distribution of the survey population of non-voters in Harris County and CD-23. Reflective of Harris County’s ethnic/racial diversity, no ethnic/racial group accounted for more than a third of the non-voters, with Latinos at 32.8%, Anglos at 31.0%, African Americans at 20.2%, Asian Americans at 9.5%, and Native Americans at 1.1%. CD-23 is one of only eight (out of 435) U.S. congressional districts where Latinos account for an absolute majority of eligible voters (Pew 2016), and this large proportion of eligible Latino voters (52.8% in CD-23) is also reflected in the ethnic/racial distribution of non-voters: 72.2% Latino, 19.1% Anglo, 3.8% African American, 1.7% Native American and 0.8% Asian American.

**Table 1A: Ethnicity/Race of Non-Voters in Harris County**

<b>Ethnic/Racial Group</b>	<b>Proportion of Non-Voters</b>
Latino/Hispanic	32.8
Anglo/White	31.0
African American/Black	20.2
Asian American	9.5
Native American	1.1
Other (volunteered)	5.4

**Table 1B: Ethnicity/Race of Non-Voters in CD-23**

<b>Ethnic/Racial Group</b>	<b>Proportion of Non-Voters</b>
Latino/Hispanic	72.2
Anglo/White	19.1
African American/Black	3.8
Native American	1.7
Asian American	0.8
Other (volunteered)	2.3

Close to a majority of non-voters in Harris County and CD-23 self-identified as Democrats (48.4% and 48.8% respectively) while a little more than a third self-identified as Republicans (36.9% and 36.2%). The remainder of the non-voter population was accounted for by true independents (14.7% and 15.0%).

In Harris County, a majority of Anglo non-voters (59.2%) self-identified as Republicans while slightly more than a quarter (25.5%) self-identified as Democrats (see Table 2A). Latino non-voters provided a mirror image of Anglo non-voters voters, with 56.8% self-identifying as Democrats and 30.4% as Republicans. In CD-23 (see Table 2B) Anglo and Latino non-voters also represent mirror images of each other, with 53.3% and 32.2% of Latinos self-identifying as Democrats and Republicans respectively and 53.2% and 32.8% of Anglos self-identifying as Republicans and Democrats.

**Table 2A: Ethnicity/Race and Partisan ID of Non-Voters in Harris County (in percentages)**

<b>Partisanship</b>	<b>All Non-Voters</b>	<b>Latino</b>	<b>Anglo</b>	<b>African American</b>	<b>Asian American</b>
Democrat	48.4	56.8	25.5	73.5	47.9
Republican	36.9	30.4	59.2	13.4	42.2
Independent	14.7	12.8	15.4	13.1	9.9

**Table 2B: Ethnicity/Race and Partisan ID of Non-Voters in in CD-23 (in percentages)**

<b>Partisanship</b>	<b>All Non-Voters</b>	<b>Latino</b>	<b>Anglo</b>	<b>All Others</b>
Democrat	48.8	53.3	32.8	54.5
Republican	36.2	32.2	53.2	29.3
Independent	15.0	14.5	14.0	16.2

Had they actually turned out to cast a vote in 2016, in the presidential race more non-voters in Harris County and CD-23 (see Tables 3A and 3B) would have supported Hillary Clinton (37.9% and 33.1%) than Donald Trump (25.8% and 22.5%), with a large proportion indicating that they would not have voted for any of the presidential candidates on the ballot in 2016 (25.5% and 35.1%). When the respondents are restricted to those with a preference among the four candidates who were on the Texas ballot, Clinton would have received the respective support of 50.9% and 51.1% in Harris County and CD-23 and Trump the support of 34.7% and 34.8%.

**Table 3A: Harris County Vote Preferences for President (in percentages)**

<b>Presidential Candidate</b>	<b>All Respondents</b>	<b>Respondents with a Preference</b>	<b>Actual Election Result*</b>
Hillary Clinton (D)	37.9	50.9	54.0
Donald Trump (R)	25.8	34.7	41.6
Gary Johnson (L)	6.1	8.2	3.0
Jill Stein (G)	4.7	6.3	0.9
Would Not Have Cast Vote	25.5		

\* Write-in candidates won 0.5% of the presidential vote.

**Table 3B: CD-23 Vote Preferences for President (in percentages)**

<b>Presidential Candidate</b>	<b>All Respondents</b>	<b>Respondents with a Preference</b>	<b>Actual Election Result*</b>
Hillary Clinton (D)	33.1	51.1	49.4
Donald Trump (R)	22.5	34.8	46.0
Gary Johnson (L)	6.8	10.5	3.0
Jill Stein (G)	2.4	3.7	0.8
Would Not Have Cast Vote	35.1		

\* Write-in candidates won 0.8% of the presidential vote.

In the highest profile down-ballot races in Harris County, the Democratic candidates for Harris County District Attorney (Kim Ogg) and Harris County Sheriff (Ed Gonzalez) would have received more support from these non-voters than their respective Republican rivals, Devon Anderson and Ron Hickman (see Table 4A1 and Table 4A2). More than a third of the non-voters would not have cast a ballot for any of the district attorney or sheriff candidates however.<sup>5</sup> It suffices to say however that had all of these non-voters turned out to vote in the 2016 election, the margins of victory of Democrats Kim Ogg and Ed Gonzalez would have been even larger than the 8.4% and 5.7% margins they achieved on November 8, 2016.

**Table 4A1: Harris County Vote Preference for District Attorney (in percentages)**

District Attorney Candidate	All Respondents	Respondents with a Preference	Actual Election Result
Kim Ogg (D)	37.2	59.0	54.2
Devon Anderson (R)	25.8	41.0	45.8
Would Not Have Cast Vote	37.1		

**Table 4A2: Harris County Vote Preference for Sheriff (in percentages)**

Sheriff Candidate	All Respondents	Respondents with a Preference	Actual Election Result
Ed Gonzalez (D)	39.6	63.7	52.9
Ron Hickman (R)	22.6	36.3	47.2
Would Not Have Cast Vote	37.8		

In CD-23, more non-voters would have voted for Democrat Pete Gallego (36.0%) than for Republican Will Hurd (23.2%), with the largest group of non-voters (38.5%) indicating they would not have voted in the race (see Table 4B1). Had all of these non-voters turned out to vote in the 2016 election, it is likely that Pete Gallego would have defeated Will Hurd, the opposite of what occurred on November 8, 2016 when Hurd narrowly defeated Gallego 110,577 to 107,526, or 48.3% to 47.0%.<sup>6</sup> It should be noted however that a majority of CD-23 non-voters with an opinion have a favorable opinion (very or somewhat favorable) of both Hurd (61.4%) and Gallego (61.1%) (see Table 4B2).

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<sup>5</sup> Of course given the presence of the straight-ticket option on Texas ballots, it is likely that many of these non-voters would have indirectly (and perhaps unwittingly) voted in these races by choosing the straight-ticket option for either the Democratic Party or the Republican Party.

<sup>6</sup> Libertarian Party candidate Ruben Corvalan won 10,862 votes (or 4.7%).

**Table 4B1: CD-23 Vote Preference for U.S. House (in percentages)**

U.S. House Candidate	All Respondents	Respondents with a Preference	Actual Election Result
Pete Gallego (D)	36.0	58.5	47.0
Will Hurd (R)	23.2	37.6	48.3
Ruben Corvalon (L)	2.4	3.9	4.7
Would Not Have Cast Vote	38.5		

**Table 4B2: CD-23 Non-Voter Evaluations of Will Hurd and Pete Gallego (Evaluations excluding non-voters who didn't know enough to have an opinion are in parentheses) (in percentages)**

Evaluation	Will Hurd	Pete Gallego
Very Favorable	10.8 (16.8)	9.5 (15.2)
Somewhat Favorable	28.8 (44.6)	28.6 (45.9)
Somewhat Unfavorable	16.0 (24.8)	15.2 (24.4)
Very Unfavorable	8.9 (13.8)	9.1 (14.6)
Don't Know Enough to Have an Opinion	35.4	37.6

**VI. Approved Photo ID Possession by Non-Voters**

Non-voters were queried in the surveys if they possessed any of six approved forms of unexpired photo ID required to be able to vote in person in 2016. If the respondent indicated they did not possess a current (unexpired) form of the three most common forms of photo ID (Texas driver license, U.S. Passport, Texas Personal Identification Card), they were asked if they had a photo ID of that type which had expired within the past four years.

In our 2015 survey of CD-23 registered voters who did not cast a ballot in the 2014 general election we included a question asking if voters possessed a Texas Election Identification Certificate (EIC). We determined that an overwhelming majority of non-voters are unfamiliar with the EIC and frequently mistakenly indicated they had one (often confusing it with the voter registration card they receive in the mail from their county clerk). We therefore did not include a question about EIC possession in this year's surveys due to this confusion and the reality that only a miniscule fraction of Harris County and CD-23 residents possess an EIC. Data from the Texas Department of Public Safety (2017) indicate that between July of 2013 (the first month in which EICs were issued) and the end of 2016, a total of 879 EICs had been issued in the entire state of Texas (which has a total of 15,101,087 registered voters). Of these 879 EICs,

126 were issued in Harris County (2,182,980 registered voters) and 142 in CD-23 (427,676 registered voters).

Tables 5A and 5B underscore that an overwhelming majority of non-voters in Harris County and CD-23 possess at least one of these six state approved photo IDs needed to vote in person in Texas elections. In all, 97.4% of Harris County non-voters and 97.8% of CD-23 non-voters possess at least one form of valid (i.e., unexpired) photo ID. When the restrictions on the three most popular forms of photo ID (Texas driver license, U.S. Passport, Texas Personal Identification Card) are loosened to allow photo IDs that had expired within the past four years, the percentages of non-voters with an acceptable form of photo ID rise to 98.5% and 97.9% in Harris County and CD-23. More than four-fifths of non-voters in both Harris County and CD-23 possess an unexpired driver license (82.9% and 84.1%) while approximately one-half of non-voters possess an unexpired U.S. Passport (47.8% and 52.2%).

**Table 5A: Harris County ID Possession by Non-Voters and Three Most Common Forms of Photo ID (in percentages)**

<b>Form of Identification</b>	<b>Possesses</b>	<b>Does Not Possess</b>
1 or More of 6 Valid Forms of ID	97.4	2.6
1 or More of 6 Valid Forms of ID (expired within 4 years)	98.5	1.5
Texas Driver License	82.9	17.1
U.S. Passport	47.8	52.2
Texas Personal Identification Card	34.5	65.5

**Table 5B: CD-23 ID Possession by Non-Voters and Three Most Common Forms of Photo ID (in percentages)**

<b>Form of Identification</b>	<b>Possesses</b>	<b>Does Not Possess</b>
1 or More of 6 Valid Forms of ID	97.8	2.2
1 or More of 6 Valid Forms of ID (expired within 4 years)	97.9	2.1
Texas Driver license	84.1	15.9
U.S. Passport	52.2	47.8
Texas Personal Identification Card	31.5	68.5

Tables 6A and 6B examine the relationship between a non-voter’s ethnicity/race and their possession of at least one of the six forms of state-approved photo ID, both unexpired and for the three IDs mentioned in the preceding paragraph that expired within the past four years (with these latter proportions in parentheses).

**Table 6A: Ethnicity/Race and Proportion of that Group that Possesses and Does Not Possess One or More of 6 Valid Unexpired Forms of Photo ID in Harris County (the proportion including expired IDs is in parentheses) (in percentages)**

<b>Ethnic/Racial Group</b>	<b>Possesses</b>	<b>Does Not Possess</b>
Anglo	99.5 (100)	0.5 (0.0)
Latino	97.4 (99.1)	2.6 (0.9)
African American	95.2 (97.3)	4.8 (2.7)
Asian American	97.4 (97.4)	2.6 (2.6)

**Table 6B: Ethnicity/Race and Proportion of that Group that Possesses and Does Not Possess One or More of 6 Valid Unexpired Forms of Photo ID in CD-23 (the proportion including expired IDs is in parentheses) (in percentages)**

<b>Ethnic/Racial Group</b>	<b>Possesses</b>	<b>Does Not Possess</b>
Anglo	98.2 (98.2)	1.8 (1.8)
Latino	98.5 (98.7)	1.5 (1.3)
All Others	94.5 (94.5)	5.5 (5.5)

In Harris County virtually every Anglo non-voter possessed a valid ID (99.5%) and all (100%) possessed a photo ID that could have been used to vote in person in the 2016 elections. Conversely, 95.2% of African Americans possessed a valid form of photo ID, a percentage that rose to 97.3% when expired IDs were considered. In an intermediate position were Latinos, with 97.4% possessing a valid form of unexpired photo ID and 99.1% in possession of an acceptable form of photo ID when expired documents were included. These modest ethnic/racial differences in photo ID possession are not statistically significant. In CD-23 virtually equal shares of Anglo (98.2%) and Latino (98.5%) non-voters possessed a valid photo ID, percentages that either stayed the same (for Anglos) or rose slightly to 98.7% (for Latinos) when expired IDs were accounted for.

Tables 7A and 7B provide comparable information for four age cohorts: those 18 to 25, 26 to 45, 46-64, and 65 and over. Registered voters in the 18 to 25 cohort are those who would be the most likely beneficiaries were the forms of acceptable photo ID to be expanded to include photo IDs issued by state colleges and universities. In Harris County 97.4%/100% of non-voters between the ages of 18 and 25 possessed a valid/expired photo ID, while the comparable percentages in CD-23 were 97.5%/97.5%. Also recall that voters ages 65 and over are eligible to vote by mail where a photo ID is not required to cast a ballot.<sup>7</sup> In Harris County 95.6%/98.5% of non-voters age 65 and over possessed a valid/expired photo ID, while the comparable

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<sup>7</sup> Voters under 65 may only vote by mail only under extraordinary circumstances (see Section II), whereas those 65 and older benefit from “no-excuse” absentee voting.

percentages in CD-23 were 96.1%/97.5%. None of the age differences among the four age cohorts in Tables 7A and 7B are statistically significant.

**Table 7A: Age and the Proportion of that Cohort that Possess and Does Not Possess One or More of 6 Unexpired Valid Forms of Photo ID in Harris County (the proportion including expired IDs is in parentheses) (in percentages)**

Age Cohort	Possesses	Does Not Possess
18-25	97.4 (100)	2.6 (0.0)
26-45	99.3 (99.3)	0.7 (0.7)
46-64	95.6 (96.5)	4.4 (3.5)
65+	95.6 (98.5)	4.4 (1.5)

**Table 7B: Age and the Proportion of that Cohort that Possess and Does Not Possess One or More of 6 Unexpired Valid Forms of Photo ID in CD-23 (the proportion including expired IDs is in parentheses) (in percentages)**

Age Cohort	Possesses	Does Not Possess
18-25	97.5 (97.5)	2.5 (2.5)
26-45	96.8 (96.8)	3.2 (3.2)
46-64	100 (100)	0.0 (0.0)
65+	96.1 (97.5)	3.9 (2.5)

## VII. Why Non-Voters Did Not Participate

In the survey the non-voters were read eight common reasons why people do not vote and asked whether they strongly agreed, agreed, disagreed, or strongly disagreed that it was a reason why they did not vote in the November 2016 election. The eight reasons were: 1) “You or a family member was ill,” 2) “You were out of town”, 3) “You were not interested or felt your vote wouldn’t make a difference”, 4) “You had transportation problems”, 5) “You were too busy, with conflicting work, family or school schedules,” 6) “You didn’t like the candidates or the issues”, 7) “ You did not possess any of the state approved forms of photo identification needed to cast a vote in person,” 8) “You went to vote but the line at the polling place was too long”.

Tables 8A and 8B detail the proportion of non-voters in Harris County and CD-23 who strongly agreed, agreed, disagreed, and strongly disagreed with each of these eight statements. The highest level of agreement with a reason in both populations of non-voters was with the statement that they didn’t vote because they didn’t like the candidates or the issues, with approximately three-fifths of non-voters in both Harris County (58.8%) and CD-23 (63.6%) either strongly agreeing or agreeing with the

statement. The next highest level of agreement was, in both populations, with the reason that the non-voter was too busy (with work, family or school), with approximately one-half of Harris County (46.2%) and CD-23 (52.9%) non-voters either strongly agreeing or agreeing with this reason for their not casting a ballot in 2016. The third highest level of agreement was, in both populations, with the reason that the non-voter was not interested or felt their vote wouldn't make a difference, with close to half of Harris County (45.0%) and CD-23 (48.1%) non-voters either strongly agreeing or agreeing with the statement.

**Table 8A: Level of Harris County Non-Voter Agreement with Reasons Why They Did Not Vote (in percentages)**

<b>Reasons Why They Might Not Have Voted</b>	<b>Strongly Agree</b>	<b>Agree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>
Didn't Like the Candidates or the Issues	43.4	15.4	12.7	28.5
Too Busy (work, family, school)	35.4	10.8	10.1	43.8
No Interest/Vote Wouldn't Make Difference	28.3	16.7	13.1	41.8
Out of Town	21.1	3.0	5.0	71.0
Illness (self or family member)	17.3	3.6	6.5	72.6
Went, But Line at Polling Place Too Long	12.7	5.7	8.3	73.4
Didn't Have Required Photo ID	12.5	4.0	6.7	76.9
Transportation Problems	10.0	5.5	6.1	78.4

**Table 8B: Level of CD-23 Non-Voter Agreement with Reasons Why They Did Not Vote (in percentages)**

<b>Reasons Why They Might Not Have Voted</b>	<b>Strongly Agree</b>	<b>Agree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>
Didn't Like the Candidates or the Issues	47.1	16.5	12.0	24.4
Too Busy (work, family, school)	34.4	18.5	8.9	38.3
No Interest/Vote Wouldn't Make Difference	32.1	16.0	15.1	36.8
Out of Town	19.1	3.1	9.3	68.5
Illness (self or family member)	14.9	2.6	7.5	74.9
Went, But Line at Polling Place Too Long	12.6	4.9	11.5	71.1
Transportation Problems	10.9	3.9	9.6	75.7
Didn't Have Required Photo ID	9.8	5.0	11.9	73.4

The three reasons for non-voting that had the lowest level of agreement in the two populations were long lines at the polls, transportation problems and not having any of the state approved forms of photo ID required to vote in person. In both populations the third lowest level of agreement was with the statement that voters went to vote but (did not vote because) the line at the polling place was too long. In Harris County 18.4% of the non-voters either strongly agreed or agreed with this statement, with the comparable percentage in CD-23 a similar 17.5%. Transportation problems had the lowest level of agreement among Harris County non-voters (15.5%) and the penultimate level of agreement among CD-23 non-voters (14.8%). Conversely, a lack of required photo ID had the lowest level of agreement in CD-23 (14.8%) and the penultimate level of agreement among Harris County non-voters (16.5%).

In Harris County 95.0% of those non-voters who strongly agreed or agreed that a reason they did not vote was because of their lack of a required photo ID actually possessed one of the required forms of photo ID, with a nearly identical 95.3% of similar CD-23 non-voters also possessing at least one of the required forms of photo ID needed to cast a vote in person in 2016.

Tables 9A and 9B provide a breakdown of the ethnic/racial distribution of non-voters in Harris County and CD-23 who either strongly agreed or agreed that a reason why they did not vote was that they did not possess any of the state approved forms of photo identification needed to cast a vote in person. While Anglos were slightly less likely to express agreement with this reason than Latinos, African Americans, and Asian Americans in Harris County and than Latinos in CD-23, none of these differences are statistically significant, meaning that we cannot rule out that they exist purely by chance.

**Table 9A: Ethnicity/Race and Agreement That Not Having A Required ID Was A Reason They Might Not Have Voted in Harris County**

Ethnic/Racial Group	Percentage Strongly Agreeing or Agreeing
Anglo	12.5
Latino	19.3
African American	20.4
Asian American	14.3
All Respondents	16.5

**Table 9B: Ethnicity/Race and Agreement That Not Having A Required ID Was A Reason They Might Not Have Voted in CD-23**

<b>Ethnic/Racial Group</b>	<b>Percentage Strongly Agreeing or Agreeing</b>
Anglo	8.6
Latino	16.3
All Others	7.5
All Respondents	14.8

Tables 10A and 10B provide the presidential vote preference of non-voters in Harris County and CD-23 who either strongly agreed or agreed that a reason they didn't vote was because they didn't have the required photo ID to vote in person. Tables 11A1, 11A2, and 11B provide comparable data for the Harris County District Attorney and Sheriff's races and for the CD-23 race. In the three competitive races featured in Tables 11A1, 11A2 and 11B, among those with a preference, more than two-thirds of non-voters whose lack of participation was due at least in part to a belief that they did not possess a required photo ID would have cast a ballot for the respective Democratic candidate (Kim Ogg: 67.9%; Ed Gonzalez: 69.9%; Pete Gallego: 71.8%) compared to less than a third for the respective Republican candidate (Devon Anderson: 32.1%; Ron Hickman, 30.1%; Will Hurd: 28.2%). Had this subset of non-voters participated in the 2016 election, in Harris County Ogg and Gonzalez would have enjoyed larger margins of victory while Gallego would have most likely defeated Hurd in CD-23.

**Table 10A: Harris County Presidential Vote Preference Among Those Strongly Agreeing or Agreeing That the Voter ID Requirements Were A Reason They Did Not Vote (in percentages)**

<b>Presidential Candidate</b>	<b>Actual Vote Result*</b>	<b>All Respondents Agreeing</b>	<b>Respondents Agreeing with a Preference</b>
Hillary Clinton (D)	54.0	52.6	63.1
Donald Trump (R)	41.6	26.0	31.2
Gary Johnson (L)	3.0	4.8	5.8
Jill Stein (G)	0.9	0.0	0.0
Would Not Have Cast Vote		16.6	

\* Write-in candidates won 0.5% of the presidential vote.

**Table 10B: CD-23 Presidential Vote Preference Among Those Strongly Agreeing or Agreeing That the Voter ID Requirements Were A Reason They Did Not Vote (in percentages)**

<b>Presidential Candidate</b>	<b>Actual Vote Result*</b>	<b>All Respondents Agreeing</b>	<b>Respondents Agreeing with a Preference</b>
Hillary Clinton (D)	49.4	35.2	48.4
Donald Trump (R)	46.0	21.6	29.7
Gary Johnson (L)	3.0	12.0	16.5
Jill Stein (G)	0.8	3.9	5.4
Would Not Have Cast Vote		27.3	

\* Write-in candidates won 0.8% of the presidential vote.

**Table 11A1: Harris County District Attorney Vote Preference Among Those Strongly Agreeing or Agreeing That the Voter ID Requirements Were A Reason They Did Not Vote (in percentages)**

<b>District Attorney Candidate</b>	<b>Actual Vote Result</b>	<b>All Respondents Agreeing</b>	<b>Respondents Agreeing with a Preference</b>
Kim Ogg (D)	54.2	47.4	67.9
Devon Anderson (R)	45.8	22.5	32.1
Would Not Have Cast Vote		30.2	

**Table 11A2: Harris County Sheriff Vote Preference Among Those Strongly Agreeing or Agreeing That the Voter ID Requirements Were A Reason They Did Not Vote (in percentages)**

<b>Sheriff Candidate</b>	<b>Actual Vote Result</b>	<b>All Respondents Agreeing</b>	<b>Respondents Agreeing with a Preference</b>
Ed Gonzalez (D)	52.9	48.9	69.9
Ron Hickman (R)	47.2	21.0	30.1
Would Not Have Cast Vote		30.1	

**Table 11B: CD-23 U.S. House Vote Preference Among Those Strongly Agreeing or Agreeing That the Voter ID Requirements Were A Reason They Did Not Vote (in percentages)**

U.S. House Candidate	Actual Vote Result	All Respondents Agreeing	Respondents Agreeing with a Preference
Pete Gallego (D)	47.0	37.9	71.8
Will Hurd (R)	48.3	14.9	28.2
Ruben Corvalon (L)	4.7	0.0	0.0
Would Not Have Cast Vote		47.2	

After expressing their level of agreement or disagreement with these eight reasons for not participating, the non-voters were asked which among the reasons with which the either strongly agreed or agreed was the single reason that best explained why they did not vote in the November 2016 election (see Tables 12A and 12B). When pressed to identify the principal reason they did not vote, a plurality of non-voters in both Harris County and CD-23 stated that it was because they did not like the candidates or the issues (31.9% and 37.7% respectively). The next most common response in both populations was that the person was too busy, with close to a fifth (18.6% and 19.8%) of both populations listing this as the principal reason they did not vote.

**Table 12A: The Principal Reason Why Harris County Non-Voters Did Not Vote in 2016**

Principal Reason Why Person Didn't Vote	Percentage Listing as the Principal Reason
Didn't Like the Candidates or the Issues	31.9
Too Busy (with work, family, or school)	18.6
Out of Town	16.0
No Interest/Vote Wouldn't Make Difference	14.7
Illness (self or family member)	9.5
Went, But Line at Polling Place Too Long	5.9
Transportation Problems	1.8
Didn't Have Required Photo ID to Vote in Person	1.5

**Table 12B: The Principal Reason Why CD-23 Non-Voters Did Not Vote in 2016**

<b>Principal Reason Why Person Didn't Vote</b>	<b>Percentage Listing as the Principal Reason</b>
Didn't Like the Candidates or the Issues	37.7
Too Busy (work, family, school)	19.8
No Interest/Vote Wouldn't Make Difference	12.7
Illness (self or family member)	10.7
Out of Town	10.5
Transportation Problems	4.6
Went, But Line at Polling Place Too Long	3.6
Didn't Have Required Photo ID to Vote in Person	0.5

The least common principal reason why non-voters did not participate was because they did not have a required photo ID, with 1.5% of Harris County non-voters and 0.5% of CD-23 non-voters listing this as the principal reason they did not turn out to vote. Among this miniscule share of non-voters who listed not possessing a photo ID as the principal reason they did not participate in the 2016 election, 86% actually possessed an approved form of photo ID while 14% did not.

### **VIII. Non-Voter Knowledge of the 2016 Voter ID Rules**

Section II detailed the evolution of the rules governing the photo ID requirements to vote in Texas between 2013 and 2016. Given the change in the rules between the 2014 and 2016 general elections, non-voters were queried regarding their knowledge of two key components of the photo ID rules in force for the November 2016 election.

First, the non-voters were asked: "Which of the following statements most accurately describes the photo ID requirements for Texans casting a vote in person in the November 2016 presidential election?" The respondents were presented with the three statements below, and could also volunteer that they didn't know or were unsure which statement most accurately described the photo ID requirements.

- A. All voters were required to provide a state approved form of photo ID.
- B. No voters were required to provide any form of photo ID.
- C. Voters who possessed one of the state approved forms of photo ID were required to provide it, but voters who didn't possess one could vote as long as they signed a declaration explaining why and provided one of several non-photo supporting documents.
- D. Don't know/Unsure (only if volunteered).

Table 13A and Table 13B provide the responses to this question by Harris County and CD-23 non-voters. In both cases only around one-fifth of non-voters (21.1% in Harris

County and 17.9% in CD-23) correctly answered that “Voters who possessed one of the state approved forms of photo ID were required to provide it, but voters who didn’t possess one could vote as long as they signed a declaration explaining why and provided one of several non-photo supporting documents.” The most common answer (58.4% in Harris County and 59.7% in CD-23) was the most accurate characterization of the photo ID rules in 2014, but not in 2016, following the agreement brokered by U.S. District Court Judge Nelda Gonzales Ramos that provided a route for registered voters who lacked an approved photo ID to still cast a ballot. Only a small handful of non-voters (3.5% in Harris County and 4.4% in CD-23) believed that anyone could vote in person without a photo ID (as, for example, is the case in states such as California and New York).

**Table 13A: Ethnicity/Race and Knowledge of Voter ID Rules to Vote in Person in Harris County (in percentages)**

<b>Rules Governing In-Person Voting</b>	<b>All Non-Voters</b>	<b>Latinos</b>	<b>Anglos</b>	<b>African Americans</b>	<b>Asian Americans</b>
Photo ID Required to Vote	58.4	68.3	53.2	52.6	59.6
No Photo ID Required to Vote	3.5	2.8	5.8	4.5	0.0
Actual Rules in Force	21.2	15.1	24.3	27.9	14.2
Don’t Know/Unsure	17.0	13.8	16.8	15.0	26.3

**Table 13B: Ethnicity/Race and Knowledge of Voter ID Rules to Vote in Person in CD-23 (in percentages)**

<b>Rules Governing In-Person Voting</b>	<b>All Non-Voters</b>	<b>Latinos</b>	<b>Anglos</b>	<b>All Others</b>
Photo ID Required to Vote	59.7	66.9	39.3	50.3
No Photo ID Required to Vote	4.4	3.8	6.7	1.2
Actual Rules in Force	17.9	14.8	27.6	23.8
Don’t Know/Unsure	18.0	14.6	26.4	24.7

In both Harris County and CD-23, Latino non-voters (15.1% and 14.8%) were significantly less likely than Anglo non-voters (24.3% and 27.6%) and, in Harris County, than African American non-voters (27.9%) to accurately understand the details of the rules governing photo ID requirements in 2016 (see Tables 13A and 13B). There were no other significant ethnic/racial differences in non-voter knowledge regarding the photo ID rules in force in 2016 in either Harris County or CD-23.

Latino non-voters were also significantly more likely than Anglo non-voters in both Harris County and CD-23 (and than African American non-voters in Harris County) to believe that the photo ID rules in force in 2016 were more strict than they actually were. In Harris County, 68.3% of Latinos believed that everyone needed to provide a photo ID to be able to vote in person, compared to 53.2% of Anglos and 52.6% of African Americans. In CD-23, 66.9% of Latinos believed that everyone needed to provide a photo ID to be able to vote in person, compared to 39.3% of Anglos.

In contrast to 2014, when a Texas driver license had to be unexpired (or have expired no more than 60 days prior to being presented for voter qualification) in order to qualify as an approved form of photo ID, in 2016 a Texas driver license that had expired within the previous four years was an acceptable form of state-approved photo ID. To assess the non-voters’ understanding of the rules in force for 2016, they were asked: “Which of the following statements most accurately describes photo ID requirements for Texans casting a vote in person in the November 2016 presidential election if they were using their Texas driver license as their form of photo ID?”

- A. The driver license had to be current; that is unexpired.
- B. The driver license had to be current, or have expired within the past four years.
- C. Don’t Know/Unsure (only if volunteered).

As Tables 14A and 14B underscore, an overwhelming majority of these non-voters (74.2% in Harris County and 75.1% in CD-23) incorrectly believed that only an unexpired Texas driver license could be used to vote in person in 2016. Only one in seven non-voters in Harris County (14.4%) and CD-23 (13.8%) were aware that a Texas driver license that had expired within the previous four years was an acceptable form of state approved photo ID to be able to vote in person in 2016.

**Table 14A: Harris County Non-Voter Ethnicity/Race and Knowledge of Driver License Rules (in percentages)**

<b>Driver license Rules</b>	<b>All Non-Voters</b>	<b>Latinos</b>	<b>Anglos</b>	<b>African Americans</b>	<b>Asian Americans</b>
Unexpired Only	74.2	82.4	72.3	73.7	64.3
Unexpired or Expired within Past 4 years	14.4	9.4	20.9	11.8	15.7
Don’t Know/Unsure	11.4	8.3	6.8	14.4	20.0

**Table 14B: CD-23 Non-Voter Ethnicity/Race and Knowledge of Driver License Rules (in percentages)**

<b>Driver license Rules</b>	<b>All Non-Voters</b>	<b>Latinos</b>	<b>Anglos</b>	<b>All Others</b>
Unexpired Only	75.1	75.4	76.8	68.6
Unexpired or Expired within Past 4 years	13.8	15.5	9.8	9.1
Don't Know/Unsure	11.1	9.0	13.4	22.4

In Harris County, Latino non-voters were significantly more likely than Anglo non-voters to believe that they could not use an expired (within four years) Texas driver license as their form of state-approved form of photo ID in the 2016 elections. No other significant ethnic/racial group differences in mistaken belief existed in Harris County, or in CD-23, where Anglo and Latino non-voters were equally mistaken about the rules governing their ability to use an expired Texas driver license as a form of state-approved photo ID in 2016 (see Tables 14A and 14B).

The data reviewed in this section underscore the limited, and most commonly erroneous, information that non-voters had regarding key components of the voter photo ID regulations in force for the 2016 election. Only around one in five non-voters were able to correctly identify the rules governing in-person voting that were in force in 2016 and an even smaller number were aware that an expired Texas driver license was a state-approved form of photo ID in 2016.

It is clear that the public education campaign carried out by the Texas Secretary of State in 2016 was not successful in its goal of educating Texas registered voters about the 2016 voter photo ID requirements. In retrospect, this is not surprising given the comparatively modest amount of funding (\$2.5 million) allocated for this public education campaign.<sup>8</sup> As a case in point, in CD-23 alone, the candidates and their supporters combined to spend \$15.4 million during the 2016 electoral cycle, more than six times the amount devoted for to all voter photo ID education efforts across the Texas's 36 congressional districts.<sup>9</sup> It also would appear that this ineffective public education campaign was significantly less effective in educating Latino non-voters than in educating Anglo non-voters.

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<sup>8</sup> The Texas Secretary of State has refused to release complete details of how these limited funds were allocated and where (Saleh Rauf 2016).

<sup>9</sup> Hurd spent \$4.1m and his supporters \$4.3m while Gallego spent \$2.1m and his supporters \$4.9m (Center for Responsive Politics 2017).

## **IX. Conclusion**

The 2016 election marked the second general election cycle in Texas in which photo ID requirements to vote in person were in force. In order to better understand the impact of these requirements on voter participation, non-voters (registered voters who did not vote) in the key Texas battleground jurisdictions of Harris County and CD-23 were surveyed.

The data from these representative surveys indicate that the presence of the voter ID rules at least partially discouraged some non-voters from turning out to vote, but that the photo ID rules at the same time only represented the principal reason why a small handful of registered voters did not participate in the 2016 election. The data also underscore that virtually all non-voters possessed one of the approved forms of photo ID needed to cast a vote in person in 2016.

Finally, the results of this study reveal that non-voters were very poorly informed about the details of the photo ID regulations in force in 2016. Furthermore, in several instances Latino non-voters were significantly less likely than Anglo non-voters to have an accurate understanding of the photo ID rules and significantly more likely to believe the rules were more restrictive than they actually were. These latter findings suggest that a much more robust and well-funded public education campaign will be needed if Texas is to avoid a similar level of voter confusion and misunderstanding of the photo ID regulations that will be in force in 2018 when the state elects a wide range of public officials ranging from U.S. senator, governor and lieutenant governor to county judge, county commissioner, and constable.

## **X. References**

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## X. Appendix I: A 2016 Texas Secretary of State Voter ID Public Education Poster

AW13-8 Prescribed by Secretary of State • Section 62.016, Texas Election Code • 09/2016

# ID required for Texas Voters

You must present one of the following forms of photo ID when voting in person:\*

- ★ Texas driver license issued by the Texas Department of Public Safety (DPS)
- ★ Texas Election Identification Certificate issued by DPS
- ★ Texas personal identification card issued by DPS
- ★ Texas license to carry a handgun issued by DPS
- ★ United States military identification card containing your photograph
- ★ United States citizenship certificate containing your photograph
- ★ United States passport



Do not possess and cannot reasonably obtain one of these IDs? Fill out a declaration at the polls explaining why and bring one of the following supporting documents:

- ★ Valid voter registration certificate
- ★ Certified birth certificate (must be an original)
- ★ Copy of or original current utility bill
- ★ Copy of or original bank statement
- ★ Copy of or original government check
- ★ Copy of or original paycheck
- ★ Copy of or original government document with your name and an address (original required if it contains a photograph)

\*With the exception of the U.S. citizenship certificate, the identification must be current or have expired no more than 4 years before being presented for voter qualification at the polling place.

**Exemptions:** Voters with a disability may apply with the county voter registrar for a permanent exemption to showing ID at the polls. Voters with a religious objection to being photographed or voters who do not have a ID due to certain natural disasters may apply for a temporary exemption to showing ID at the polls. Please contact your voter registrar for more details.

**VOTETEXAS.GOV**

XI. Appendix II: A Map of Texas Congressional District 23

