

Voter Identification in Lawrence, Massachusetts

Morris v. City of Lawrence
(*Rya W. Zobel, D. Mass. 1:01-cv-11889*)

On the day before a municipal election, a voter and two voting-rights organizations filed a federal complaint challenging a city's planned voter-identification requirement. Defense counsel acknowledged that voters would show up without identification, because they would not be aware of the new requirement, and they would only be able to vote if they signed their ballots. The court enjoined the requirement.

Subject: Voter identification. *Topics:* Voter identification; case assignment.

On the day before the November 2001 municipal election in Lawrence, Massachusetts, a voter and two voting-rights organizations filed a federal complaint in the District of Massachusetts challenging Lawrence's planned voter-identification requirement, alleging that (1) the requirement violated the Constitution, the Voting Rights Act, and a 1999 consent decree;¹ (2) persons without identification would be able to vote but they would have to sign their ballots; and (3) the new requirement had been insufficiently publicized.²

The court assigned the case to Judge William G. Young, who signed the consent decree, but Judge Rya W. Zobel heard the matter because of Judge Young's unavailability.³ Judge Zobel was on duty that month to handle miscellaneous matters, such as grand-jury issues, naturalizations, wire taps, and proceedings in other judges' cases if the other judges were unavailable.⁴ Judges in the district rotated duty months in order of seniority.⁵

On approximately five minutes' notice, Judge Zobel conducted the hearing while a jury in a criminal case before her was deliberating.⁶ Defense counsel acknowledged that voters would show up on the following day without identification and only be able to vote if they signed their ballots.⁷ Later that day, Judge Zobel issued a preliminary injunction against the voter-identification requirement.⁸

1. See Docket Sheet, *United States v. City of Lawrence*, No. 1:98-cv-12256 (D. Mass. Nov. 5, 1998).

2. Complaint, *Morris v. City of Lawrence*, No. 1:01-cv-11889 (D. Mass. Nov. 5, 2001), D.E. 1; see Farah Stockman, *Lawrence Voting Regulation Targeted Democrats*, Boston Globe, Nov. 5, 2001, at B1.

3. Transcript, *Morris*, No. 1:01-cv-11889 (D. Mass. Nov. 5, 2001, filed Nov. 28, 2001), D.E. 11; Minutes, *id.* (Nov. 5, 2001), D.E. 7.

Tim Reagan interviewed Judge Zobel for this report by telephone on September 9, 2013.

4. Interview with Hon. Rya W. Zobel, Sept. 9, 2013.

5. *Id.*

6. Transcript, *supra* note 3, at 12, 21, 24.

7. *Id.* at 14, 16.

8. Preliminary Injunction, *Morris*, No. 1:01-cv-11889 (D. Mass. Nov. 5, 2001), D.E. 6; see Shelley Murphy, *Judge Strikes Lawrence ID Rule*, Boston Globe, Nov. 6, 2001, at B2.