



Commentaries

Voter Restrictions in Florida (and elsewhere in the United States)

I'VE BEEN WRITING A MONTHLY COLUMN for this journal, *Medicine and Health/Rhode Island*, since 1999 and have assiduously avoided political issues for several reasons, the two most important being that I don't want to upset people, and there's no reason to think that I know more or better about most political topics than the readers. As someone recently put it in a newspaper op/ed piece, "the predictions of political writers have been no better than those of trained chimps." However, and with some trepidation, I wish to express my thoughts, as a neurologist on the issue of voter fraud in the US.

This issue, guided almost entirely by nativist anti-illegal immigrant sentiment, is allegedly an attempt to disenfranchise voters believed to have been voting illegally, but more clearly aimed at the poor and uneducated. How Rhode Island came to join this group is something I don't understand, and since I'm only a neurologist, and not a tea-leaf reader, will leave this to trained columnists (and chimps) to figure out. The state that has attracted the most attention has been Florida, probably because the Obama administration has challenged them in court. Under the guise of removing illegal alien voters from the voting rolls, a rather bald-faced attempt was made to remove as many likely Hispanic voters as possible. Since illegal aliens are presumably Hispanic, the names to be investigated were largely Hispanic.

The state of Florida investigated 2,500 people and found 50 who should not have been qualified for voting rights. Actually, it turns out that the original list of people to be investigated was believed to be 180,000. As most of us recall, the presidential election of 2000 turned on a few hundred votes and a Supreme Court decision. So even 50 votes, which doesn't sound so important, may be, whereas 180,000 clearly is.

So, why am I writing about this? The reason is neurological, where I do know

something. Florida has the relatively oldest population in the US. There are more than three million people over the age of 65 in Florida, about 17% of the population. Using the figure that applies in general to the US, about 13% of people over the age of 65 have Alzheimer's disease. Since there are other causes for dementia, 13% is a significant underestimate. This means that over 400,000 potential voters in Florida are demented.

If Florida or other states are serious about restricting voting to people who "should" vote, they should have taken on the difficult task of trying to exclude people who shouldn't be voting, whether legal or not. This is not an easy exercise. About 20% of voting is now done by absentee ballot. Nowhere is the possibility of voter fraud higher than with the demented. Dementia appears in mild as well as severe forms. Mildly demented people may interact in a seemingly normal fashion until stressed by some unexpected problem or memory lapse. Severe dementia, on the other hand, is always obvious, due to inappropriate behavior, problems following conversations, difficulties of expression and memory impairment. The demented generally do not apply for absentee ballots, but their caretakers may, on their behalf. In some cases the spouse, or child, or best friend, truly knows how the person would have voted and votes the same way. After all, barring a remarkably unusual candidate, a life-long Democrat or Republican is unlikely to change stripes late in life. But sometimes the choices may not be so clear, or the person controlling the ballot has a major interest in the election outcome, enough to trump a consideration for how the demented person would have voted, or sometimes there is no way to determine how the person would have voted and the child simply gets to vote twice.

I don't pretend to have an answer to the question of how we keep demented

people from voting that would satisfy everyone. It is a topic of interest to many and has been addressed by lawyers, ethicists and geriatricians resulting thus far in little legislative action. Not too many years ago, Strom Thurmond, the senator from South Carolina, died in office, demented. His dementia probably didn't matter to his staff, and maybe not to his constituents either, since his staff had done the work and decision-making for years. I doubt that anyone knows how many members of the Congress are demented, but when you see photos of the US Senate, "the world's greatest deliberating body," it looks remarkably like an advertisement for a well-healed nursing home.

Politicians who are trying to rid the voting rolls of illegal voters would better serve their constituents by trying to reduce voting by people who are no longer mentally competent. This is not an easy road, and may be more challenging for theoretical legal reasons than the task of limiting driving by the demented, an extraordinarily difficult task which no state has yet tackled.

The reasons, I believe, that the elderly have, probably largely to their own detriment, been able to avoid restrictive driving and tests on voting competency is their power in numbers. They, unlike the poor and uneducated, actually vote, and sometimes this means that their family gets to vote twice.

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