

Government Administration and Elections Committee

JOINT FAVORABLE REPORT

Bill No.: HB-5418

AN ACT RESTORING ELECTORAL PRIVILEGES TO FELONY CONVICTS

Title: WHO ARE ON PAROLE.

Vote Date: 3/23/2018

Vote Action: Joint Favorable

PH Date: 3/15/2018

File No.: 369

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SPONSORS OF BILL:

Government Administration and Elections Committee
Rep. Josh Elliott, 88th Dist.

REASONS FOR BILL:

This bill restores the voting rights of convicted felons who have been released from confinement to parole with certain exceptions. Currently the law allows convicted felons to become voters after being discharged from confinement and parole. The law requires the Commissioner of Correction to give the parolee a form/letter certifying his or her release from confinement and parole. Voting privileges must be automatically restored if, at the time of such felony conviction, the parolee was (1) a voter and (2) residing in the same municipality. If at the time of such conviction, he or she was not a voter or was a voter, but living in a different municipality, then the parolee must register to vote in order for electoral privileges to be granted or restored. The bill also permits convicted felons who are on parole to be circulators of nominating petitions.

RESPONSE FROM ADMINISTRATION/AGENCY:

Sen. Marilyn Moore, 22 Dist: Senator Moore supports immediately eliminating the unfair practice of denying two currently disenfranchised groups in the state of Connecticut, that total more than 7,000 citizens, their democratic right to vote. Senator Moore argues that, "It is this great diversity that makes our state and my district great. That's why I feel so strongly about ensuring there are diverse voices and opinions represented within our electorate." Furthermore, she asserts that "denying the right to vote to people who are living and working in the community runs counter to the modern ideal of universal suffrage." Senator Moore believes that voting is a powerful symbol of political equality, full citizenship and full equality mean having the right to vote. HB 5418 will give citizens their full citizenship. The bill will help to ensure that the people who live and work in our communities and pay taxes are not treated as second class citizens. If the bill passes Connecticut will join our neighbors in

Massachusetts, Maine, Vermont, Rhode Island and New Hampshire in automatically restoring the right to vote for persons serving terms of parole in the community. Additionally, Connecticut would join Alabama, California, Vermont, Maine, Washington DC, Puerto Rico and Cook County, Illinois “in ensuring that people who are being held in pretrial detention and have not lost their right to vote are provided absentee ballots and are not having their civil rights violated by being precluded from voting”. Finally, Senator Moore believes that the bill will help to demonstrate that our government serves all and not just a privileged few.

Rep. Brandon L. McGee, Jr; 5th Dist: Rep. McGee supports this bill. Voter rights felons: 9-46A allows formerly incarcerated individuals to vote. The goal of this proposal is simply to inform people of their rights. The United States is the world’s leader in incarceration with 2.2 million people currently in the nation’s prisons or jails – a 500% increase over the past thirty years. State governments have been overwhelmed by the burden of funding this rapidly expanding penal system, despite increasing evidence that wholesale incarceration does not work. More than 60% of the people in prison are now racial and ethnic minorities. For black males in their thirties, 1 in every 10 is in prison or jail on any given day. This cycle of mass segregation has stifled entire communities. Rep. McGee states that, “worst still is the furtherance of a practice that has denied millions impacted by the criminal justice system access to a core tenant of our democracy; the right to vote. Connecticut is well positioned to mount a powerful, culture-shifting campaign to remove barriers from the ballot box for thousands of Connecticut’s citizens”. Finally, he argues that, “in our state of just 5,500 sq. miles we can move the needle forward toward full citizenship for more than 3,000 citizens on parole and community supervision and the estimated 4,000 plus un-sentenced individuals being held in facilities during pre-trial detention”.

Denise W. Merrill , Secretary of the State: Secretary Merrill supports this bill. Connecticut law allows people on probation to once again exercise their right to vote, but not people on parole. This bill allows people on parole to also exercise their right to vote. The problem we often face when we try to get every eligible voter to register and every registered voter to vote, is in getting people to know at what point in the process of leaving the criminal justice system they get their right to vote back. In addition, to continuing our proud Connecticut tradition of expanding the right to vote, this bill would remove the confusion over parole versus probation and simplify the restoration of voting rights to the physical release from prison.

NATURE AND SOURCES OF SUPPORT:

Luke A. Bronin, Mayor, City of Hartford, CT: Thousands of Hartford residents bear the burden of a criminal conviction and in 2016 alone, more than 1,000 individuals came to the City of Hartford after being released from a correctional facility, halfway house or parole supervision, according to the State Department of Correction. Today, Hartford is home to hundreds of parolees. As a city, we have taken steps to give these returning citizens the support and opportunities they need to lead productive, law-abiding lives. This year we are partnering with community organizations to open a one-stop Reentry Welcome Center that will connect returning citizens to basic necessities as well as programming and job training. Reentry professionals have long known that returning citizens are more successful reintegrating into society when they become engaged in their community. Restoring the right to vote for parolees would promote the most meaningful and important form of community engagement the right to participate in the democratic process.

Thomas J. Clarke II, Office of Councilman, Court of Common Council, City of Hartford, CT: Councilman Clark supports this bill. People are being held in pre-trial detention (community correction centers: Whalley Ave., North Ave., The Meadows) who have not been convicted and are not currently serving a sentence but are being held as they await judgement. This group has not technically lost their right to vote in Connecticut. They have access to the ballot through voting and/or other methods. People who are currently living, working and paying local, state and federal taxes while serving terms of parole are not allowed to vote in Connecticut. In Massachusetts, New Hampshire and Rhode Island individuals serving terms of probation and parole have the right to vote. It is time Connecticut joined them.

Matthew Waggner, Registrar Town of Fairfield, CT, Registrar of Voters: Mr. Waggner supports this bill from the perspective that participating in the electoral process is an important part of being integrated in the community and from the practical perspective that the parole and restitution restrictions generate confusion for the prospective voter. In advancing this bill consider adding parole officers to the list of designated voter registration agencies, who could supply a voter registration form directly to the former convict at the correct time whether or not you change the eligibility to include parolees.

Bryan N. Anderson, Alderman, City of Milford, CT: Alderman Anderson supports this bill. There are individuals detained in pre-trial detention centers throughout the State of Connecticut who are awaiting judgement. These persons have not been convicted nor are they serving a sentence. Technically they have not lost their right to vote, yet by practice, they are denied opportunities to participate. The Registrar of Voters in communities where detention centers are located schedule voter registration enrollment sessions and then follow-up with supervised absentee ballot voting sessions to cover this population. The concern is parolees. Those on parole are permitted to retain their voting rights in all New England states, except Connecticut. He urges the committee to positively address this issue.

Nancy A. Humphreys, Director, Institute for Political Social Work, UCONN, School of Social Work: Ms. Humphreys, in her role as director, supports this bill. Voting is a basic human right and an important indicator of community health and well-being. When people vote, there are benefits to themselves and their communities, including higher levels of civic participation, stronger connections within communities and better outcomes for the individual voters themselves, including higher levels of "civic health" measured by stronger social connections, better employment and greater community well-being. Voter engagement also reduces the mental health consequences of oppression, increases individual efficacy and provides opportunities to voice opinions, connect with others and to feel positive about one's self. Further proof of voting, formerly incarcerated persons who had their voting rights restored in Florida were less likely to return to prison.

Julia Wilcox, Manager of Advocacy & Public Policy, The Connecticut Community Nonprofit Alliance: The Alliance supports HB 5418. The proposed legislation continues the efforts of the legislature to build upon past success, maintain momentum of the Second Chance Society Initiative and provide the tools necessary to ensure that these returning citizens are actively engaged and invested in their reentry process, their families and their communities. The proposed legislation provides the opportunity to reinforce the powerful

impact of each returning citizen becoming actively engaged and accountable for their future, the future of their families and their communities.

Julius Preston, President of NP-8 Bargaining Unit CSEA SEIU Local 2001: Mr. Preston supports HB 5418. Voter enfranchisement has not traditionally been thought of as a public safety issue, an integral part of Connecticut's criminal justice system is the reintegration of individuals back into society. Actively excluding individuals who have been caught up in our criminal justice system from participating in our democratic process alienates them from the communities in which they live, increasing the likelihood of recidivism. In 2011 the Florida Parole Commission issued a report that detailed that system involved people who had their rights restored were two thirds less likely to recidivate than who were not granted their civil rights. HB 5418 would be a positive step for both communities and individuals affected by mass incarceration.

Kaley Lentini, Legislative Counsel for the American Civil Liberties Union of Connecticut: American Civil Liberties Union of Connecticut (ACLU-CT) Ms. Lentini testified in support of HB 5418. Restoring the right to vote for people who have been disenfranchised strengthens our democracy by increasing voter participation and helping formerly incarcerated people to reintegrate into society. Being able to vote in elections is an important right that should not be denied to someone simply because they were convicted of a crime. Laws that disenfranchise people because of felony convictions disproportionately disenfranchise black Americans. This bill combined with HB 5220, An Act Concerning Released Felons' Voting Rights, would require the Commissioner of the Department of Correction to give people who are released from custody after a felony conviction, including people who are discharged from parole, a document certifying that they are "not barred from becoming an elector due to a previous felony conviction" provides a way to empowered people to exercise their fundamental civic right to vote. Mass incarceration, combined with disenfranchisement laws, subverts participatory democracy, particularly for communities of color. Making the restoration process automatic when someone is returning to society, streamlining it and notifying formerly incarcerated people of their right to vote, are the first steps to dismantling these harmful and discriminatory laws.

Juan Hernandez, State Director, Service Employees International Union 32BJ: Currently, people who are being held pretrial, who have not been convicted and are not serving a sentence but who are being held as they as they await judgement are not able to access the ballot in order to vote. Connecticut residents who live, work and pay taxes, yet are serving parole, are disenfranchised. In order to reduce the possibility of reentering the criminal justice system, it is important that returning member of members of our communities can fully participate in civic life just as anyone else would. We urge the committee to support HB 5418.

Rob Baril, Secretary-Treasurer ,Service Employees International Union 1199 New England: Mr. Baril submitted testimony in favor of HB 5418. This bill not only affects our members, but their family members and communities that they struggle to survive in every day. In each of the groups that this bill targets namely people being held in pre-trial detention who have not been convicted and people who are currently living, working and paying local, state and federal taxes while serving terms of parole- black and Latino men and woman from urban centers are disparately over represented. Many of these men and woman are union members or family of union members. Supporting this effort brings Connecticut a

step closer to ending the practice of locking wide swaths of black and brown communities out of our democracy.

Cheri Quickmire, Executive Director Common Cause: Common Cause supports HB 5418. We currently welcome returning citizens with very few supports in the community although research shows that successful-reintegration is an immense challenge. Reuniting with family, finding housing, finding employment are all extraordinarily difficult. We support necessary expenditures for re-integration in society and we recognize that voting rights and rehabilitation are closely linked. Restoring the right to vote sends the message that the returning citizen is welcomed back in the community and is an integral, vested member of our society. Rhode Island, Massachusetts, New Hampshire and twelve other states have restored voting rights to individuals serving terms of probation and parole.

Louis Reed, Connecticut Policy Director, Katal Center for Health, Equity and Justice: individuals that are being held for pre-trial detention may not vote. Individuals who are out on parole working, paying local, state and federal taxes also have been deprived of the right to vote. A formerly incarcerated person, he felt there was a sense of democratic incarceration because of my inability to participate in the electoral process. He has felt that the disenfranchisement of not being allowed to cast a ballot first hand.

James Jeter, Full Citizens Coalition, Smart Justice: The removal of my right to vote presents fundamental and foundational issues within my citizenship, for that within my humanity. He argues that he served his time and served it in a manner where he was granted parole ten years prior to his discharge. He argues that the inability to vote denies him a place in our society. He believes that having no say in the shaping of his community, no voice in the shaping of policy that may send his children to war or prison. Mr. Jeter supports HB 5418 to unlock the vote.

Kennard Ray, Member, Full Citizens Coalition: Personally, he knows how impactful the right to vote can be. After completing a term of parole, he joined thousands of other Connecticut residents in becoming a full citizen his level of civic engagement increased. He has knocked on tens of thousands of doors across the state and in others, managed winning campaigns across the nation, lobbied the legislature, the legislatures in a number of other states and federally in our nation's capital. Having served on boards and commissions and in appointed roles he states that he can attest that there has been no stronger catalyst in his personal and professional life than the right to vote. Massachusetts, New Hampshire and Rhode Island have restored voting rights to individuals serving terms of probation and parole. Connecticut should join them. He supports HB 5418 to unlock the vote.

Brett Davidson Co-Director, Full Citizens Coalition Member, Connecticut Bail Fund: The individuals we serve feel no sense of citizenship or political power. The state of Connecticut is far more regressive with disenfranchisement of criminalized communities. Maine, Vermont, Massachusetts, New Hampshire and Rhode Island electoral systems are far more democratic than ours; people who live, work and pay taxes have a voice in the election of their leaders. It is past time that Connecticut joined these progressive states.

Donald M. Robinson, B.S. Criminal Justice, Member, Full Citizens Coalition: Massachusetts, New Hampshire and Rhode Island are among the nation's most progressive

in voter restoration rights, joining just twelve other states and the District of Columbia ensuring that individuals serving terms of probation and parole have the right to vote. There have been no recorded increased claims of voter fraud in these other states. People who live, work and are taxed in their communities can have a say in the way they are governed. It is time that Connecticut joined them. For these reasons he supports HB 5418.

Angel Candelario, Member, Full Citizens Coalition: Mr. Canderlario was incarcerated for a felony and was on parole for seven years. He states that he knows firsthand the feeling of not having a voice in the election process and in his community. He argues that being on parole should not make you a second class citizen. He believes that a record should not make their voices invalid. People who have made mistakes and have served their time deserve to have their civil liberties restored. Please vote in favor of HB 5418.

Arvia Walker, Public Policy and Strategic Engagement Specialist, Planned Parenthood of Southern New England: Ms. Walker notes that patients who walk into our health center doors rely on the quality and affordable care that is provided. The ability to vote for people who support and champion issues around their health care needs is critical to the ability to fight back against political attempts to control bodies and reproductive health. She also states that issues like voter disenfranchisement disproportionately impact minorities. Attacks on voting rights impact Planned Parenthood's ability to provide and expand care to medically underserved communities. Voting rights are reproductive rights. Planned Parenthood believes we must fight back against attempts to silence our voices and communities through voter suppression.

Reverend Andrew G. Osmun, Member, Connecticut for One Standard of Justice: Reverend Osmun states that by preventing individuals on parole from exercising their constitutional right to vote is both unnecessary and another barrier to their returning to society and being responsible citizens. Voting rights are an important aspect of restoring paroles self-respect and empowers their full re-entry into society.

Tom Swan, Executive Director, Connecticut Citizen Action Group (CCAG): CCAG supports HB 5418. This is a necessary step to strength our democracy and to protect the rights of the people of Connecticut. This will bring us in line with other New England states and is consistent with many of the positive criminal justice reforms that Connecticut has implemented.

David Cross: Felony convicts on parole have been punished for their crime and do not deserve additional punishment or disenfranchisement as long as they abide by parole conditions. They should have the right to vote concerning laws that affect them and their fellow citizens. This is important because institutional racism in the justice system means that racial and language minorities are disproportionately sentenced as felons. Depriving felons on parole of the right to vote creates communities that are as a group disproportionately deprived of a voice in our democracy.

NATURE AND SOURCES OF OPPOSITION:

None Expressed.

Reported by: Maureen O'Reilly

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