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April 25, 2017

Committee on House and Governmental Affairs

Re: **SUPPORT: HB168, HB229, HB239**

Dear Chairman Danahay and members of the Committee,

The cornerstone of democracy is the right to vote. Without that right, people are not citizens. In a nation founded on the principle of “No taxation without representation,” it is disgraceful that we are the only world democracy that uses criminal records as a basis for denying the fundamental right of citizenship. We urge this committee to send HB168, HB229, and HB239 to the House Floor.

Historically, voter suppression has targeted women and minority populations, for fear that they would not support the dominant status quo. Louisiana has one of the most difficult histories in that regard, requiring people to fight for over a century to be rid of the Literacy Test, Poll Tax, Grandfather Clause, and Understandings Clause, and general intimidation. Disenfranchising people with criminal records is the final frontier, and pushes a greater percentage of people out of the voting booth year after year. Some of whom never learn that their rights have been restored.

From a public safety standpoint, people who vote are less likely to commit crimes. This has been studied in both Florida (by the state DOC) and Minnesota. Furthermore, it is well established that parents who vote raise children who vote. A voting community is a safe community. The American Probation and Parole Association passed a resolution supporting voting rights (attached).

Felon disenfranchisement is a relic of the Reconstruction Era. It is time for it to go.

HB168 would eliminate the burden currently placed upon people to retrieve their records from one state agency (DOC) and provide them to another (Secretary of State). In an age of computers and instant background checks, the state should eliminate this burden. Not only will it eliminate the potential charge that the state is interfering with voting rights of people who are off supervision and trying to vote; this will also reduce the possibility of voter fraud. Paperwork submitted by an individual is less reliable than digital transmissions from a state agency.

A few months ago, a woman came into VOTE's office who had been unable to track down her parole officer and obtain proof she was no longer on parole. She called many people and went to multiple places (Orleans Probation and Parole has been "homeless" for months), and was getting the runaround. Fortunately for her, several of us at VOTE have the phone numbers and emails of supervisors in the department and were able to bypass these hurdles. Of the 71,000 people who will ultimately have their voting rights restored, they won't all be able to find and utilize VOTE's support network. HB168 fixes a hole in the system.

Furthermore, when Tulane Law professor Saru Matambanadzo conducted a survey of all the parish boards of electors, she found there was a varied understanding of the current law. Although the law hadn't changed in four decades, some were unsure about who was denied the right to vote and how one goes about restoring their rights. This survey is forthcoming.

HB229 would create a 5-year waiting period for people to have their rights restored after incarceration on an order of imprisonment. This would deny voting rights to most people on parole (as most parole terms are under 5 years). A small percentage of people with long parole terms will benefit from this bill; people who have fully integrated into society. The reality is that after three years out of prison, people are extremely unlikely to return to criminal activity.

People sentenced to probation are told to uphold the law and do positive things. No judge ever wished any of these 40,000 people would lose their job, their home, or voting rights. Those who commit a probation violation, under HB229, would lose their voting rights for the next five years (ultimately the balance of the probation term). Those who uphold the law will not lose their voting rights.

This bill is a compromise that leads Louisiana in the right direction, and like HB168 should be passed on to the Floor.

HB239 would eliminate the need for the above mentioned bills, if it were to pass. This constitutional amendment would place the question in the hands of the registered voters. There is no credible reason not to place this vital question on the ballot. By doing so, this committee makes a commitment to the democratic process. Today, every parish struggles with their own public safety issues, and struggles to reintegrate people back into their families and society. Voting is just one small part of that, yet it is a fundamental sign of inclusion.

Individual politicians need not have a positive position on voting rights, but as representatives of the people- it is your obligation to pose this constitutional question regarding over 71,000 people.

Last year, the Secretary of State presented an expense required to alert people if the bill passed. Interestingly, they considered it more burdensome that people outside of prison are allowed to vote. They did not mention the cost of barring people from the ballot, nor mention any costly

obligation to inform thousands of individuals annually who have their voting rights restored. Currently, the DOC is transmitting a list requiring the SoS to strike people from the rolls. Surely that is more costly than a general assumption that a citizen walking up to register to vote is *not incarcerated*. **Treating people under community supervision the same as everyone else will save money.**

Please also see the attached report by VOTE, League of Women Voters, and The Sentencing Project. We urge you to pass these three bills.

Sincerely,

A handwritten signature in black ink, appearing to read 'BR', with a long horizontal flourish extending to the right.

Bruce Reilly
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