

March 5, 2020

Toby Ditz
1416 Bolton Street, Baltimore, MD 21217
toby.ditz@jhu.edu / 410-669-0085

TESTIMONY IN SUPPORT OF SB372
Election Law - Correctional Facilities - Voter Registration and Voting

TO: Chair Pinsky, Vice Chair Kagan, and members of the Education, Health, and Environmental Affairs Committee

FROM: Toby Ditz

My name is Toby Ditz, and I live in Baltimore City in District 40. I strongly support SB372. This bill joins other voting reforms, such as same day registration and early voting, that encourage more widespread participation at the ballot box. These reforms are popular in our state because the public understands that making the right to vote real and effective is essential to political democracy. If enacted, SB372 would also take its place among a series of reforms, like the ban-the-box law, that attempt to roll back the discriminatory policies of mass incarceration that have in Maryland led to one of the highest rates of incarceration of Black men in the nation.

The bill's goals are simple: to inform eligible voters of their right to vote, to enable them to do so by mail, and to register them, if necessary. We do this for other eligible voters, including citizens who live in group settings like nursing homes. Why not do so for incarcerated people who retain the right to vote, or who regain it when they leave prison?

I have heard opponents of this bill cite safety considerations. But many civilians interact on a regular basis with the men and women in our correctional facilities without incident, including, for example, teachers, and tutors in college preparatory and degree programs. Compared to mounting college classes in our correctional institutions, the resources needed to safely help people fill out registration forms or give them access to mail-in ballots are straightforward.

Some also say it is too expensive and that correctional staff are short-handed. But this cannot justify continuing to deprive a whole population of their fundamental right to vote. The fiscal note's assertion that this bill would require hiring thirty new employees is greatly overblown. But even if funding is an issue, then, you, the legislators, must find a way; budgetary arguments cannot be allowed to trump fundamental rights, especially when the effect is to deepen racial discrimination at the ballot box.

My friends and neighbors in Baltimore know it is wrong that so many people languish in pretrial detention for months simply because they cannot afford bail, when others with bigger wallets go free. It violates our sense of fairness, and we know that it is discriminatory because Black men and women disproportionately bear this burden. But many of us have to be reminded that people in jail also cannot exercise their right to vote. When we are, we can see instantly that

this is a double whammy: for lack of money, people lose their freedom and their vote. Bail and pretrial detention become a poll tax.

You can easily fix this. Voting is a core political right. This bill protects that right, and it enhances democracy at the ballot box.

I respectfully urge a favorable report on SB372.