

HB1022 Election Law- Incarcerated Individuals- Vot

Uploaded by: Amanda Hamilton

Position: FAV



**House Judiciary Committee
Position: Favorable**

Dear Honorable Delegates,

I am writing to express my strong support for HB1022 which is due to be presented in the upcoming legislative session. As a concerned citizen and member of Black Girls Vote, I believe that this bill is critical to the well-being of our community and deserves your full support.

The Election Law- Incarcerated Individuals-Voting Eligibility and Access (Voting Rights for All Act) addresses an issue that is of great importance to our community, and if passed, it will have a positive impact on the lives of many people. While incarcerated the right to vote can be incredibly difficult as a citizen. We need to take action to ensure that this bill will establish requirements regarding the provision of ballot drop boxes and information related to voting to eligible voters by correctional facilities.

The Election Law- Incarcerated Individuals -Voting Eligibility and Access (Voting Rights for All Act) offers a comprehensive solution to this issue. It will inform eligible voters of upcoming elections and how eligible voters may exercise the right to vote. These measures are vital to protecting the well-being of our community, and I strongly urge you to support this bill.

I understand that there may be some opposition to this bill, but I believe that the benefits it offers far outweigh any potential drawbacks. This bill has the potential to make a real difference in the lives of people in our community, and I ask that you give it your full support.

Thank you for considering my request. I look forward to hearing from you soon and to seeing HB1022 become law.

Sincerely,

Amanda Hamilton
Advocacy Co- Lead
Black Girls Vote
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MOPD Position on HB 1022 (Written).pdf

Uploaded by: BENOIT TSHIWALA

Position: FAV



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POSITION ON PROPOSED LEGISLATION

BILL: HB1022 – Election Law – Incarcerated Individuals – Voting Eligibility and Access

FROM: Maryland Office of the Public Defender

POSITION: Favorable

DATE: 3/5/24

The Maryland Office of the Public Defender respectfully requests that this Committee issue a favorable report on House Bill 1022 which will – *inter alia* - alter the circumstances under which an individual is not qualified to be a registered voter for the purpose of allowing individuals convicted of a felony and serving a court-ordered sentence of imprisonment for the conviction to register to vote.

Denying prisoners the franchise was historically premised on the idea of “civic death”—a suspension of normal rights as citizens while they are behind bars. But American jurisprudence has moved away from that notion over the past century. The Supreme Court and Congress have affirmed a variety of constitutional rights for prisoners in recent years, such as religious freedom, First Amendment free speech rights of political expression, access to courts and counsel, freedom from cruel and unusual punishment, all subject to penological interests. Most important, the Supreme Court decided that prisoners cannot have their citizenship stripped *as a punishment for a crime*.¹

¹ *Trop v. Dulles* 356 U.S. 86 (1958)

This bill removes that punishment. Under current Maryland law, persons convicted of a misdemeanor do not lose the right to vote. However, an incarcerated individual serving time for a felony is prohibited from registering and voting, until that person is either on parole, probation, or has otherwise completed their sentence. Allowing incarcerated persons serving time for felonies to vote is beneficial in a number of ways.

First, as long as incarcerated persons retain constitutional rights (again, subject to penological interests), the right to vote remains an indispensable tool for the vindication of those rights as citizens. Incarcerated individuals should have a say in voting for (or against) policies and laws affecting them and their families.

Recognizing the right of this class of incarcerated persons to vote is also in line with the concept of self-government. As prisons populations have expanded in the past 20 years, one of the best ways to solve intractable issues like criminal justice reform or prison abuse is to consider the voices of those currently incarcerated allow them to represent themselves in our national political conversation. Incarcerated persons should have a say – subject to penological and security concerns – in their prison conditions, access to medical services, and laws that affect their freedom and their families.

Allowing currently incarcerated persons to vote will also serve to counterbalance the legislative power wielded by these some corporations and other businesses that lobby for harsher criminal penalties and longer sentences. It is no secret that a number of private equity companies like Global Tel Link and Corizon have benefitted in the millions from access to Maryland's prison population, and necessarily have an interest in maintaining a guaranteed pool of profits and labor. Incarcerated persons have an interest in voting (defending) for policy makers who could neutralize such corporate motives.

Passing this bill will also be consistent with the 2010 ‘No Representation Without Population’ Act”, mandating incarcerated persons will be counted as residents of their home addresses when new state and local legislative districts are drawn in Maryland. Most of the prisoners serving significant time for felony convictions are housed in the state’s maximum and medium security facilities, mostly located in legislative districts away from their home addresses. Allowing all incarcerated persons to vote on matters affecting their home districts will help to foster civic participation in their communities.

As Justice Earl Warren wrote in the 1958 case *Trop v. Dulles*: “Citizenship is not a right that expires upon misbehavior”. As a formerly incarcerated individual myself who served significant time for a felony, I was on the outside looking in with respect to policies affecting me as a citizen. I lost my freedom, and my constitutional rights were severely restricted. But I never lost my citizenship as a result, and I paid my debt to society. This bill ensures that all citizens (including incarcerated ones serving time for felonies) have a say in matters material to that citizenry.

For these reasons, the Maryland Office of the Public Defender urges this Committee to issue an unfavorable report on House Bill 1022.

Submitted by: Maryland Office of the Public Defender, Government Relations Division.

Authored by: Benoit Tshiwala (Paralegal). benoit.tshiwala@maryland.gov

HB1022_Voting_Rights_for_All_Act_MLC_FAV.pdf

Uploaded by: Cecilia Plante

Position: FAV



**TESTIMONY FOR HB1022
Election Law - Incarcerated Individuals - Voting Eligibility and Access
Voting Rights for All Act**

Bill Sponsor: Delegate Wilkins

Committee: Judiciary, Ways and Means

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Aileen Alex, co-chair

Position: FAVORABLE

I am submitting this testimony in favor of HB1022 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists, and our Coalition supports well over 30,000 members.

The Voting Rights for All Act in Maryland aims to enhance voting eligibility and access for incarcerated individuals. This bill offers what our Coalition considers two transformational initiatives in seeking universal representation at the polls.

First are ballot drop boxes and voting information. HB1022 requires ballot drop boxes and information related to voting for eligible voters by correctional facilities and the State Board of Elections. This ensures that incarcerated individuals have access to voting materials and can participate in the democratic process. A Voting Rights Ombudsman called for in the legislation would advocate for voting rights, address any challenges faced by incarcerated voters, and ensure fair access to a ballot.

Second is allowing expanded eligibility for registered voters. The Act allows individuals convicted of a felony and serving a court-ordered sentence of imprisonment for the conviction to vote. Currently, if you have been convicted of a felony, you can vote only after completing a court-ordered sentence of imprisonment.

This Act gives voice to over 15,000 people under the jurisdiction of the State of Maryland correctional authorities. It is only fair that all eligible Maryland residents can exercise their right to vote. For the felon, this change promotes reintegration and civic engagement.

In addition to helping to get great bills like HB1022 passed, MLC's mission is to inform voters about such legislation and their legislators. We appreciate any and all efforts to inform voters, enhance representation, and increase voter turn-out for all Marylanders.

We support this bill and recommend a **FAVORABLE** report in committee.

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Uploaded by: Charlie Cooper

Position: FAV



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**TESTIMONY IN SUPPORT OF HOUSE 1022 – ELECTION LAW –
INCARCERATED INDIVIDUALS – VOTING ELIGIBILITY AND ACCESS
(VOTING RIGHTS FOR ALL ACT)**

March 7, 2024

The American predicament of rising inequality and low voter participation (compared with other wealthy nations) is rooted in the vicious cycle of big money in politics, lobbying, and a corrupted, cynical Congress. Various voter suppression strategies only exacerbate the problem.

Restoring citizen engagement can rectify this systemic threat to democracy, and the bill under consideration provides a step forward by restoring voting rights to persons convicted of felonies. Only persons convicted of buying or selling votes would be excluded from voting – a policy that we recommended in 2016. Engaging offenders in the democratic process through voting is common-sense way to build positive values and promote successful reintegration into the community following incarceration.

The real question is, *what is the risk to society of convicted felons voting?* We cannot think of any. In Maine, Vermont, and Washington, DC, incarcerated felons retain voting rights. Although there are barriers to participation, there are no reports that this practice creates problems affecting the welfare of the community at large.

HB 1022 has a practical method of encouraging incarcerated individuals to vote by placing drop boxes in facilities and by appointing a voting rights ombudsman for incarcerated individuals.

The policy of excluding felons from voting has historical roots in the Jim Crowⁱ era when white-dominated states sought to exclude African Americans from voting. The policy at that time was a way to avoid some of the consequences of the 15th Amendment for those who sought to continue white supremacy. HB 1022 presents a concrete step toward embracing equality for all.

We urge a favorable report, and we also hope you will consider adding the provisions of HB 627 to this bill so that the Department of Corrections and Public Safety would routinely provide voter registration information to the State Board of Elections.

ⁱ <https://www.themarshallproject.org/2019/06/11/in-just-two-states-all-prisoners-can-vote-here-s-why-few-do>

HB 1022 FAV.pdf

Uploaded by: Emily Woo Kee

Position: FAV



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HB 1022: Election Law – Incarcerated Individuals - Voting Eligibility and Access (Voting Rights for All Act)

Hearing before the House Ways and Means Committee, March 7, 2024

Position: SUPPORT

The Public Justice Center (PJC) is a not-for-profit civil rights and anti-poverty legal services organization that seeks to advance social justice, economic and racial equity, and fundamental human rights in Maryland. The PJC envisions a just society where Black, Latine, Indigenous, Asian, and other historically exploited people are free from systems of oppression, exploitation, and all expressions of discrimination. **The PJC supports HB 1022 and urges a favorable report.**

HB 1022 seeks to establish requirements regarding the provisions of ballot drop boxes and information related to voting to eligible voters in correctional facilities. This includes establishing a Voting Rights Ombudsman for Incarcerated Individuals and other processes aimed at increasing voter eligibility and access.

Most individuals being detained in jails are eligible to vote but are not able to due to a lack of voting processes within correctional facilities and jails. Accessing resources like absentee ballots, voter registration forms, and other election-related materials is difficult when individuals can't access the internet and don't know how to contact their local board of elections. Aside from these barriers to voting, many people who are incarcerated simply do not know that they are able to vote while incarcerated. This "de facto disenfranchisement" of those who are eligible voters undermines the key facet of democracy, civic participation¹. HB 1022 is part of a much larger national effort to expand voting access for eligible incarcerated individuals. **HB 1022 strengthens democracy and addresses the deepening racial disparities that come from incarceration. By expanding voter eligibility and access, HB 1022 assists in incarcerated individuals' re-entry into their communities.**

Because of the anti-Black racism that pervades criminal justice systems in the United States Black people in Maryland are incarcerated at a rate 5.3 times higher than white people². Thus, problems

¹ Porter, Nicole D. "Voting in Jails." *The Sentencing Project*, 20 Oct. 2022, www.sentencingproject.org/policy-brief/voting-in-jails/.

² "Maryland Profile." *Prison Policy Initiative*, www.prisonpolicy.org/profiles/MD.html. Accessed 5 Mar. 2024.

with disenfranchisement of individuals who are eligible to vote disproportionately impacts people of color and their communities.

HB 1022 not only expands voting rights, but it has a positive impact on an incarcerated person's re-entry into their community after they are released and reduces recidivism. Research conducted by advocates shows that “having the right to vote and the act of voting is related to increasing public safety. For individuals with a criminal history, having one's right to vote restored as well as the act of voting was related to reduced recidivism.³” After incarceration, “having the right to vote and civic participation is connected to [an individual's] intentions to remain crime-free.⁴” **Maryland releases roughly 86,654 people from its prisons and jails each year, many of whom are eligible to vote but won't due to a lack of support and information⁵.** Ensuring that these individuals have voting access while incarcerated supports lifelong voter participation. Incarcerated people are no different to people who aren't incarcerated, they too want to feel like they have a voice, that they have a connection to their community, and that their vote matters.

In 2023, fifteen states introduced bills designed to expand voting rights for individuals impacted by the criminal justice system⁶. Historic legislation included the New Mexico Voting Rights Act that restored voting rights to over 11,000 citizens and the Restore the Vote Act in Minnesota that expanded voting rights to 46,000 Minnesotans. If Maryland wants to uphold civic engagement amongst all its citizens and support incarcerated people, it will require investing in programs that restore access to voting rights for incarcerated residents.

For the reasons mentioned above, the Public Justice Center **SUPPORTS HB 1022** and requests a **FAVORABLE** report.

³ Bishop, Breanna. “The Ballot Bulletin: Voting Rights Wins in Minnesota and New Mexico.” *The Sentencing Project*, 2 May 2023, www.sentencingproject.org/newsletter/the-ballot-bulletin-voting-rights-wins-in-minnesota-and-new-mexico/.

⁴ Bishop, Breanna. “The Ballot Bulletin: Voting Rights Wins in Minnesota and New Mexico.” *The Sentencing Project*, 2 May 2023, www.sentencingproject.org/newsletter/the-ballot-bulletin-voting-rights-wins-in-minnesota-and-new-mexico/.

⁵ “Maryland Profile.” *Prison Policy Initiative*, www.prisonpolicy.org/profiles/MD.html. Accessed 5 Mar. 2024.

⁶ Bishop, Breanna. “The Ballot Bulletin: Voting Rights Wins in Minnesota and New Mexico.” *The Sentencing Project*, 2 May 2023, www.sentencingproject.org/newsletter/the-ballot-bulletin-voting-rights-wins-in-minnesota-and-new-mexico/.

HB 1022 Favorable FINAL.pdf

Uploaded by: Gregory Brown

Position: FAV



Testimony for the House Judiciary Committee

HB 1022 Election Law – Incarcerated Individuals – Voting Eligibility and Access (Voting Rights for All Act)

March 7th, 2024

Favorable

GREG BROWN
PUBLIC POLICY COUNSEL

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The ACLU of Maryland supports HB 1022, the Voting Rights for All Act, which seeks to end felony voter disenfranchisement in the state of Maryland. Voter disenfranchisement laws were intentionally designed, under our historical white supremacist system, to block the political power of Black and Brown citizens.

Shameful History of Voter Disenfranchisement in the United States

The history and racist roots of disenfranchisement laws have been laid bare by progressive justice organizations like the Sentencing Project, ACLU, and Brennan Center. To summarize, the notion of a “civil death” which included the penalty of disenfranchisement was attached to certain offenses, deemed egregious enough. The idea is traced back to colonial laws but were widely adopted after the American Revolution.¹ The early disenfranchisement laws, much like voting laws that preceded them and denied the right to vote based on property, sex, race, etc., sought to limit the influence and power of marginalized groups. In the case of Alabama, the author of the state’s law identified offenses eligible for disenfranchisement with an eye toward disqualifying Black voters.²

The legacy of these laws cannot be overstated. As of 2016, 6.1 million Americans were stripped of the right to vote because of felony disenfranchisement laws.³ One of every 13 Black adults is

¹ <https://www.sentencingproject.org/publications/felony-disenfranchisement-a-primer/>

² <https://www.sentencingproject.org/publications/felony-disenfranchisement-a-primer/>

³ <https://www.sentencingproject.org/publications/felony-disenfranchisement-a-primer/>

disenfranchised. Virginia, Kentucky, and Tennessee fare even worse—one in five Blacks have been disenfranchised. In total, 2.2 million Black citizens are banned from voting. Thirty-eight percent of the disenfranchised population in America is Black.⁴

The number of ineligible voters, however, is merely the tip of the iceberg. It does not begin to account for the generations of lost political power within Black communities. It is a frustrating exercise to speculate how many leaders accountable to Black communities could have been elected to office, the progressive policies that could have been enacted, the progress that could have been made.

Maryland's Disenfranchisement Laws⁵

Here in Maryland, as is the case nationwide, the history of voter disenfranchisement laws is tortured and inconclusive. Maryland's first felon disenfranchisement law dates back to 1851.⁶ Under that law, persons convicted of “infamous crimes”—any felony, treason, perjury, or any crime involving an element of deceit, fraud, or corruption—were permanently denied the right to vote. The felony disenfranchisement law bore the unfortunate company of laws that allowed only free white men could vote,⁷ and Section 43 of the Constitution which held that the Legislature “shall not pass any law abolishing the relation of master or slave, as it now exists in the State.”

In 1974, the General Assembly amended the law to allow persons convicted of infamous crimes to vote upon completion of their sentence and any period of supervision. Persons convicted of a subsequent infamous crime (“recidivists”) remained permanently disenfranchised.

In 2001, the legislature created the “Task Force to Study Repealing the Disenfranchisement of Convicted Felons in Maryland.”⁸ The work of the Task Force unearthed several troubling facts—at that time, Maryland was one of only two states in the nation which permanently disenfranchised persons convicted of subsequent felonies. Only eight other states had harsher laws on the books. The state also had the tenth

⁴ <https://www.aclu.org/blog/voting-rights/racist-roots-denying-incarcerated-people-their-right-vote>

⁵ Under the Election Law Article, persons who have been convicted of buying or selling votes are permanently stripped of the right to vote. This testimony does not address this small universe of persons.

⁶ https://felonvoting.procon.org/sourcefiles/1851_Maryland_Constitution.pdf (Art I, Sec. 5)
http://users.cla.umn.edu/~uggen/Behrens_Uggen_Manza_ajs.pdf

⁷ https://felonvoting.procon.org/sourcefiles/1851_Maryland_Constitution.pdf (Art I, Sec. 1)

⁸ 2001 [Task Force to Study Repealing the Disenfranchisement of Convicted Felons in Maryland](#) (2001 [HB 495](#))

highest rate of disenfranchised persons in the Country. Worse, the compounding impact of the racist criminal justice system caused a significant diluting effect on the voting power of Black men—15.4% of Black men in Maryland at the time were disenfranchised.⁹

In 2002, the following legislative session, the General Assembly restored the voting rights of persons convicted of multiple charges of theft or infamous crimes after three years had lapsed since the completion of the person's sentence or supervision. The body left in place permanent disenfranchisement of persons convicted of a second or subsequent violent crime.¹⁰

2007 would see another revision to the law, stripping out any consideration for the number of convictions or the nature of the offense. Any person convicted of a felony would be re-enfranchised upon completion of their sentence or supervision.¹¹ The Fiscal and Policy Note accompanying the 2007 legislation noted that in 2006, about 8,678 persons were released from the Department of Corrections after serving a sentence for a felony.

In 2015, with the passage of HB 980, which further limited the disenfranchisement laws to the period during which a person convicted of a felony is incarcerated. In other words, persons under supervision would no longer be disenfranchised.¹² Governor Hogan vetoed the bill, but his veto was overridden in 2016. The legislation re-enfranchised over 40,000 Marylanders.¹³ This effort was proudly and effectively led by formerly incarcerated people who were most directly impacted by disenfranchisement laws.

Finally, the most recent changes to the law came in 2021, with the passage of the Value my Vote Act, which requires the State Board of Elections establish a program to disseminate voting information, voter registration applications, and absentee ballot applications to eligible voters in correctional facilities. Passage of HB 1022 builds on the important work the Value My Vote Act started by returning the sacred

⁹ Unquestionably, voter disenfranchisement laws also bear a negative impact on Latinx communities. This impact is more difficult to measure because Maryland fails to collect reliable data about the ethnicity of persons interacting with the justice system.

¹⁰ http://mgaleg.maryland.gov/2002rs/fnotes/bil_0004/sb0184.PDF

¹¹ [273 Voting Rights Restoration - Ex-Offenders](#)

¹²

<http://mgaleg.maryland.gov/webmga/frmMain.aspx?pid=billpage&tab=subject3&id=hb0980&stab=01&vs=2015RS>

¹³ <https://www.theatlantic.com/politics/archive/2016/02/maryland-felon-voting/462000/>

right of enfranchisement back to the most underrepresented population of people in the State of Maryland.

The Ramifications for Baltimore City and Black Voting Power in Maryland

Disenfranchisement laws have a clear disparate impact of the Black vote across the country, here in Maryland and most starkly for Baltimore City. The compounding impact of disenfranchisement laws together with the racial disparities that plague Maryland's prisons create the insidious and undeniable result that Black Baltimoreans are denied full participation in our democracy. Black Marylanders make up roughly 30% of the state's population. Yet, over 70% of the state prison population is Black. In 2022, Maryland's disenfranchised population totaled 16, 587 with Black people making up 11, 678 of that figure.¹⁴

To give this data some national context—Maryland is infamously the most racially disparate prison population in the Country. Only twelve other states have the tragic distinction of having a greater than 50% Black prison population.¹⁵

Compounded with the racial disparities is the further diluting effect of Baltimore City's overrepresentation in prisons and jails. As of January 2019, almost 30% of all Maryland's prison inmates were Baltimoreans.¹⁶ Baltimoreans make up just 10% of the state's population.¹⁷ To be clear, not all Baltimore's communities fared equally—voter disenfranchisement has a concentrated effect on certain communities. A 2015 report by the Justice Policy Institute found that 75% of imprisoned Baltimoreans hailed from 25 of the City's 55 communities.¹⁸ Without a doubt, over-policing and unconstitutional policing of poor, Black neighborhoods contributes to this dynamic.

Consider the implications this holds for local and statewide elections in terms of actual numbers of voters. In 2010, 7,795 Baltimoreans were imprisoned. Democratic primaries for a seat in the House of Delegates

¹⁴ <https://www.sentencingproject.org/reports/expanding-the-vote-state-felony-disenfranchisement-reform-1997-2023/>

¹⁵ <https://www.sentencingproject.org/wp-content/uploads/2016/06/The-Color-of-Justice-Racial-and-Ethnic-Disparity-in-State-Prisons.pdf>

¹⁶ <https://www.baltimoresun.com/news/crime/bs-md-prison-population-vera-20190423-story.html>

¹⁷ http://www.justicepolicy.org/uploads/justicepolicy/documents/rightinvestment_design_2.23.15_final.pdf

¹⁸ http://www.justicepolicy.org/uploads/justicepolicy/documents/rightinvestment_design_2.23.15_final.pdf

are often decided within margins of 100 or fewer votes. It's therefore not a far-flung notion that incarcerated Marylanders could have a decisive impact in elections.

Passage of HB 1022 will ensure Maryland takes the next step toward an inclusive democracy. Furthermore, HB 1022 would establish a Voting Rights Ombudsman for Incarcerated Individuals. This is a necessary move to secure the right to vote for those voting inside the prison walls. The implementation of the Value My Vote Act came with issues regarding incarcerated individuals even being made aware that they were eligible to vote. Establishing an Ombudsman would put in place a needed check on the implementation of the bill and remove any doubt that the incarcerated population would not have any recourse should their rights of enfranchisement be continually violated or ignored.

For these reasons we urge a favorable report on HB 1022.



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felony disenfranchisement is about disenfranchisem

Uploaded by: James Jeter

Position: FAV



**Testimony of James Jeter, co-founder of Connecticut's Full Citizens Coalition,
representing the National Voting in Prison Coalition (NVPC)**

**Supports HB 1022 Voting Rights for All Act
Maryland House Judiciary Committee**

Good afternoon to members of the Maryland House Judiciary Committee. I am James Jeter, a member of the National Voting in Prison Coalition and co-founder of Connecticut's Full Citizens Coalition.

The National Voting in Prison Coalition supports the passage of HB 1022 to guarantee the voting rights of all eligible Americans in our elections. Restoring the right to vote is smart policy. It enables people who are incarcerated to feel connected to their communities, especially as they re-enter society, and therefore reduces the likelihood of them taking part in criminal activity and returning to prison. After all, if I'm an active voter then I'm an active voice in my community. But all that is held up if I'm not given the right to vote.

At the founding of this country, nothing was held more sacred than the right to suffrage. However, it was clear to the founding fathers that this inherent right was not a right for all, but a right for a select privileged few. A right so regarded as the quintessential character of citizenship, that it was safe guarded from the general majority. The American founding fathers barred suffrage on the bases of race, color, gender, creed, and economic status, reserving the right to build equity through civil engagement for white male property owners, and war vets. Slowly over the last 200 years, America would prove its founding fathers to be right on the sacredness of Suffrage as the quintessential character of citizenship, and wrong on whom it should be afforded to.

In 1891 Prof. James Bryce published his article *Thoughts on the Negro Problem* in the North American Review. Concerning Suffrage and the enfranchisement of the African diaspora in America Prof Bryce writes:

“How are the anomalies and contradictions of the political position to be overcome? the negroes have got suffrage, which in ***America is the source of all power***....it has been solemnly guaranteed to them by the constitution; and they are not suffered to enjoy it. Such a situation has more than one element of evil in it, it is a standing breach of the

constitution, a standing violation of that respect for law which is the very life-blood of democratic institutions. It is calculated to provoke the resentment and disaffection on the part of more than seven millions of people. It suspends the natural growth and play of political parties in the south, forcing the negroes to stick to one national party, irrespective of the (often far more important) local issues which State politics present; forcing the southern whites also to hold together as one party upon one issue, instead of dividing and regrouping themselves according to the question which the changing conditions of their country bring from time to time to the front. Thus it perpetuates sectionalism a grave mischief in national politics..”

The denial of suffrage for African Americans, has had crippling effects on all Americans, it has been at the root of all divisive practices, robbing all americans of wrestling with the thoery of democracy, and locking us into antiquated ideologies of the what America should be, an ideology that roots itself often in racist biases that perpetuate the degradation of all minority citizens.

The NVPC submits this testimony today, understanding that felony disenfranchisement, undergirded by a century of black wage thief, redlining, and 50 years of Mass incarceration has upheld the oldest and most prolonged disenfranchisement in America. The effects of Mass Incarceration on black life can best be metered through it’s unwavering ability to civically disenfranchise the men and women who sit inside of state facilities, detached from the political make up and building of their communities. Opposition argues against this wrong in two ways, one is by saying why should those who break laws have the privilege to vote while incarcerated, it is suspended just like any other privilege: you also can not drive while incarcerated. The other argument being that why should they enjoy their rights when they obviously didn’t care for them while free. Both arguments lack an understanding of citizenship as designed by the founding father, and fought for by every marginalized group since. Voting is not a privilege, it is the pivotal right that citizenship hangs on, the right to affect government, and create community equity, the right to ensure that representation is reflective of community and keeps community needs and wants at the forefront of their job. It is to the sculpting of what America can and should be, and the absence of any one from that process robs the entire nation.

What Mass incarceration has set in black and brown communities, yet overwhelmingly in black communities is a complete indifference to the electorate process, for decades men and women came home completely disenfranchised and started families, rejoined families and communities yet the discourse of civics became absent, a constitutional right fought for and won in blood and degradation was stripped from the community through the war on drugs and the mass representation in the carceral system that would ensue, upholding the vicious cycle of denying us a valid response to resolve harm (whether self inflicted or thrust upon us from outside influences and actors), as well as empowering outside entities over the welfare of the community. In other words black communities are shaped in absentia, and left in a paternal stronghold where judgment and biases of others become the molders of our communities yet somehow we still hold the full responsibility for all negative outcomes. It is by design not coincidence that all Federally recognized and designated racial and ethnic concentrated areas

of poverty commonly referred to as R/ECAP neighborhoods, also have extremely low to nil civic engagement. These neighborhoods also make up a majority percentage of our prison system.

To be able to tie the plight of R/ECAP neighborhoods to criminal activity, is to ignore the disenfranchisement prior to felony disenfranchisement that created the neighborhoods. What felony disenfranchisement does is allow convenient amnesia from those who hold to antiquated biases of black and brown people to the practices and policies that have historically shaped and denied black communities from developing. What felony re-enfranchisement does for these communities is it allow for the conversation of democracy and engagement to sit in the home in the most productive way, it allows for men and women in the carceral space to take full advantage of the time they are doing to reintegrate into society with a community mindset and ownership while doing their time rather than trying to figure it out afterwards. It will reduce the recidivism rates, and spark the imagination of the community at large. It is not the solver of all problems, yet it is the cornerstone of all solutions. To not see the benefit re-enfranchisement does for historically locked out communities, is to desire to keep them just that.

Thank you for your consideration of this testimony. On behalf of the National Voting in Prison Coalition, we recommend the Maryland House Judiciary Committee advance House Bill 1022.

Wilkins Felony Voting Testimony, HB1022.pdf

Uploaded by: Jheanelle Wilkins

Position: FAV

JHEANELLE WILKINS
Legislative District 20
Montgomery County

Vice Chair, Ways and Means
Committee

Rules and Executive Nominations
Committee

Chair

Legislative Black Caucus of Maryland



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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

March 7, 2024

**House Bill 1022 – Election Law – Incarcerated Individuals – Voting Eligibility and Access
(Voting Rights for All Act)**

Dear colleagues,

I am pleased to introduce **House Bill 1022 – Election Law – Incarcerated Individuals – Voting Eligibility and Access (Voting Rights for All Act)**, which would ensure the right to vote for everyone in Maryland, regardless of criminal convictions.

This bill expands voting rights throughout the State of Maryland and repeals incarceration status as a barrier to voting. HB 1022 requires correctional facilities across the State of Maryland to display signs in intake and release centers that display information about voting and the voter registration process. Correctional facilities are also required to provide ballot drop boxes, establish a point of contact between the State Board of Elections and the correctional facility, collect ballots on a scheduled basis, and disperse voter eligibility information before the registration deadline.

House Bill 1022 also addresses the ongoing issue of voting barriers for Black citizens of Maryland, and they are the most adversely affected by mass incarceration. Currently, every 787 adults per 100,000 residents who are currently incarcerated are Black/African American.

As the 2024 U.S. Presidential Election nears, the importance of voting rights grows every day. To reflect our goals of being a true representative democracy, it is vital that all individuals in the State of Maryland are granted the right to vote, regardless of incarceration status.

House Bill 1022 will give more Marylanders the right to participate in the democratic process. I urge the committee to give a **favorable report** for **House Bill 1022- Election Law – Incarcerated Individuals – Voting Eligibility and Access (Voting Rights for All Act)**.

Sincerely,

A handwritten signature in cursive script that reads "Jheanelle Wilkins".

Delegate Jheanelle Wilkins

HB 1022 - Election Law - Incarcerated Individuals

Uploaded by: Joanne Antoine

Position: FAV

March 7, 2024

Testimony on HB 1022
Election Law - Incarcerated Individuals - Voting Eligibility and Access (Voting Rights for All Act)
Judiciary, Ways & Means

Position: Favorable

Common Cause Maryland supports HB 1022 which would secure access to voting for all citizens in Maryland, including those citizens who are currently incarcerated and convicted of a felony. It would also require that the Department of Public Safety and Correctional Services (DPSCS) and other similar facilities partner with the State Board of Election (SBE) to facilitate a process for voting. It establishes an Ombudsman role within SBE, establishes a free voter hotline, and codifies processes already being implemented by DPSCS and SBE.

Our government should work for everyone – but far too often, the legal system works against us. While people see their vote as a tool to participate and have a voice in the decisions that impact their lives, mass incarceration presents a unique democratic challenge: those most affected by it are unable to express their grievances at the ballot box.

Maryland has already taken steps to provide access to voting for currently eligible incarcerated voters and is well positioned to be the first state in the country, outside of Washington DC, to put an end to felony disenfranchisement.

Maryland has already restored the right to vote for returning citizens and in 2021, created a program to provide individuals who are on pretrial or convicted of a misdemeanor access to voting materials and mail-in voting. DPSCS went beyond these requirements and worked with SBE to place secure drop boxes in prisons throughout the state as well as partnering with advocates to make digital nonpartisan voter guides available to eligible voters as well as advertisement about the upcoming elections that play regularly on televisions inside the correctional facilities. All these current processes can remain in place even with a large pool of eligible voters in the facilities. We are well positioned to eliminate the process by which an individual convicted of a felony loses a right to doing. Moving away from this practice and providing meaningful access to voting will help in efforts to ensure successful reentry and reduce recidivism.

With the 2024 elections right around the corner, we wanted to point to two critical provisions outlines in HB 222. One establishes a hotline where voters who currently residing in these facilities can make a call for free to report issues and ask questions about the election. SBE currently has no process for responding to questions and is not formally alerted about issues or even potential intimidation. Ombudsman role which we had hoped to establish in 2021 will also ensure these processes are secure and work as intended.

The General Assembly taking action to secure the freedom to vote for all, including those who have been marginalized or silenced in our unjust criminal justice system, sends a message to the nation that we are committed to enriching our democracy and ensuring that all perspectives are heard and considered in the decision-making process.

We urge a favorable report.

NVPC letter of support_ HB 627 & HB 1022 2.9.24.pd

Uploaded by: KESHIA Morris Desir

Position: FAV



National Voting in
Prison Coalition

Dear Chair Atterbeary and Ways & Means Committee,

We, the undersigned members and allies of National Voting in Prison Coalition (NVPC), encourage a favorable report on HB 627 & HB 1022.

The National Voting in Prison Coalition (NVPC) is a coalition of national and state organizations working to support national, state, and local campaigns to guarantee voting rights to persons completing their sentence inside and outside of prison and subjected to felony disenfranchisement. The NVPC's advocacy supports strategies to guarantee political rights for justice-impacted residents through expanding automatic voter registration policies to include prisons, jails, and probation and parole offices. NVPC members also work to guarantee ballot access for eligible voters in local correctional facilities to support and facilitate jail and prison voter registration and voting initiatives.

HB 627: Election Law - Automatic Voter Registration - State Correctional Facilities

The National Voting in Prison Coalition and allies urges a favorable report on HB 627, to ensure that the state automatically registers people to vote as they leave prison. We encourage the Maryland legislature to pass this bill with urgency in the 2024 legislative session. The bill would require Maryland's secretary of state to coordinate with the Department of Public Safety and Correctional Services (DPSCS)- to register eligible individuals upon their release from prison as part of an expansion of the state's automatic voter registration (AVR) program.

Passing and implementing HB 627 will allow for the most often disenfranchised populations to have a voice at the polls, in how Maryland is governed, and how it's tax dollars are spent.

Voting rights are under attack in many parts of our country but passing HB 627 takes a step forward to expand access to the ballot. The right to vote is a cornerstone of our democracy,

and it is stronger when more of us can cast a ballot. The National Voting in Prison Coalition and allies are united around the common goal that voting rights must be accessible for all.

According to statistics from the Maryland Secretary of State's office, the program will facilitate voter registration for thousands of individuals annually who are released from state prisons.

Maryland first adopted statewide automatic voter registration in 2018. To date, the state's AVR program has largely relied on the public interaction with the department of motor vehicles to implement its automatic registration. HB 627 will allow for The Maryland Department of Public Safety and Correctional Services to join the Motor Vehicle Administration (MVA), Maryland Health Benefit Exchange (MHBE), local departments of social services, and the Mobility Certification Office (MCO) in the Maryland Transit Administration agencies to reach sections of the population less likely to drive.

HB 1022: Election Law – Incarcerated Individuals – Voting Eligibility and Access

The National Voting in Prison Coalition and undersigned allies also supports the passage of HB 1022 to guarantee the voting rights of all eligible Americans in our elections. As Maryland begins to consider rights restoration for incarcerated people, we encourage you to assess the importance of a true representative democracy, where we all have a fair say in the decisions that shape the lives of our children and families.

Americans have seen how our nation's prison system has been used to silence the voices of millions of Americans at the ballot box. According to the Sentencing Project, more than 16,000 Marylanders are currently disenfranchised due to criminal convictions in Maryland. It is time to give these Americans a voice in our democracy.

HB 1022 serves as a beacon of hope for Maryland's most silenced populations currently disenfranchised due to criminal convictions. These individuals, despite being most impacted by the criminal legal system, remain voiceless in our nation's electoral process. [Polling](#) by The Sentencing Project, Stand Up America, Common Cause, and State Innovation Exchange revealed that most Americans believe the right to vote should be an inalienable right for all Americans, extending to those who are currently serving sentences, both within and outside of prison walls.

HB 1022 is a long-overdue step towards fulfilling the promise of our democracy, where every American has a voice and a stake in shaping our nation's future. The National Voting in Prison Coalition and allies urges members of the House and Senate to join us in

supporting this essential legislation and ensuring that all Americans can participate fully in our democratic processes.

HB 1022 comprises a series of transformative measures designed to eradicate disenfranchisement and empower marginalized communities, including:

- Expansion of voting rights to Marylanders completing their sentences inside prison;
- Establishes a Voting Rights Ombudsman for incarcerated people within the State Board of Elections to oversee the implementation and make recommendations to assist in facilitating voting by incarcerated individuals.
- Establishes a toll-free voter hotline for people in prison to receive information about voting, request voting materials, and report voting rights violations.

HB 1022 represents a bold step towards a more just and equitable society, where the right to vote is not a privilege reserved for a select few but a fundamental right guaranteed to all Americans. By dismantling the barriers that bar tens of thousands of Marylanders from participating in our democracy, we can move closer to realizing the true essence of American democracy – a system of government that truly represents the will of all its people.

Thank you for your consideration of these two important bills as critical steps towards an inclusive democracy.

Sincerely,

Arizona Asian American Native Hawaiian Pacific Islander for Equity (AZ AANHPI for Equity)

Campaign Legal Center

Colorado Criminal Justice Reform Coalition

Common Cause

Demos

Full Citizens Coalition

Human Rights Watch, US Program

Illinois Alliance for Reentry and Justice NFP

Legal Services for Prisoners with Children

NAACP Legal Defense and Educational Fund, Inc.

OLÉ

Prison Policy Initiative

Prisonality Magazine

Stand Up America

The Sentencing Project

HB1022MTsiongas.pdf

Uploaded by: Magdalena Tsiongas

Position: FAV

**TESTIMONY ON HB1022
VOTING RIGHTS FOR ALL ACT**

**House Judiciary Committee
March 7, 2024**

SUPPORT

Submitted by: **Magdalena Tsiongas, MPH**

Chair Clippinger, Vice Chair Bartlett and members of the Judiciary Committee:

I, Magdalena Tsiongas, am testifying in support of HB1022, the Voting Rights for all Act. I am submitting this testimony as the family member of an incarcerated person in a Maryland prison, John.

John has spent 17 years incarcerated, since he was 19 years old. He has never had the ability to vote, and unless the law changes, he never will. Disenfranchisement of people incarcerated with a felony sends a very clear message to those in prison. That their voices do not matter to elected officials. That their experiences do not matter, and that no one is listening to them and their experiences.

It should come as no surprise, that in MD, 71% of the incarcerated population is Black, while only 30% of the general population is. This inevitably means the disenfranchisement of poor Black and Brown people specifically and intentionally. The right to vote should not be a negotiable one.

HB1022 would ensure that the right to vote is a right afforded to everyone in practice. It would allow incarcerated people the ability to have their voices heard in elections, elections that often directly impact the quality of their life and their freedom.

I urge you for a **favorable report** on HB1022.

Thank you

Nicole D. Porter testimony for MD House Bill 1022.

Uploaded by: Nicole Porter

Position: FAV



**Testimony of Nicole D. Porter
Senior Director of Advocacy,
The Sentencing Project**

**In support of House Bill 1022
to Guarantee Voting Rights Regardless of Incarceration Status
Submitted to the Maryland House Judiciary Committee**

March 5, 2024

Established in 1986, The Sentencing Project works for a fair and effective U.S. criminal justice system by promoting reforms in sentencing policy and addressing unjust racial disparities and practices. We are grateful for this opportunity to submit testimony endorsing House Bill 1022. The Sentencing Project thanks Delegate Jheanelle Wilkins for her primary sponsorship on House Bill 1022.

I am Nicole D. Porter, Senior Director of Advocacy for The Sentencing Project. I have had extensive engagement in public policy research on criminal legal issues for many years, with a particular focus on sentencing, collateral consequences of incarceration, and racial disparity. I have also authored numerous journal articles, reports and public commentary on shifting trends in state policy impacting criminal legal reform including voting rights for people with felony convictions. It is my honor to submit testimony to the Maryland Assembly to guarantee voting rights for all persons completing their sentence inside prisons and jails regardless of their crime of conviction.

House Bill 1022 would repeal the prohibition on voting by incarcerated adults serving a felony court-ordered sentence for their conviction except for persons convicted of buying or selling votes.

Momentum to Expand the Vote

Felony disenfranchisement laws and policies can be traced back to the founding of the United States when settler colonialists implemented the policy during their occupation of North America. The nation was founded on a paradox, a supposed experiment in

democracy that was limited to wealthy white male property owners and excluded women, African Americans, persons who could not read, poor people, and persons with felony convictions. Over the course of two hundred years all of those voting exclusions have been eliminated with the exception of people with felony convictions.

Maryland is one of 23 states that ban voting for persons in prison with a felony conviction. The number of Maryland residents disenfranchised from voting in prison and jail numbered 16,587 as of 2022¹, while nationally, over 4.6 million Americans are disenfranchised.²

Twenty-six states and Washington, DC expanded voting rights to citizens with felony convictions since 1997. Maryland expanded voting rights to persons completing their sentence on felony probation and parole in 2016.³ In addition to the end of felony disenfranchisement in DC, several other states have considered guaranteeing voting rights for all regardless of incarceration status. Earlier this year, officials in Massachusetts, Illinois, and Washington state considered measures to guarantee voting rights for all citizens regardless of incarceration status.

Voting rights reforms in other jurisdictions and states include:

- Council Members in the District of Columbia expanded voting rights to persons completing their felony sentence in prison and jail (2020).⁴
- Eighteen states and Washington, DC enacted voting rights reforms between 2016 and 2023, either through legislation or executive action.
- Ten states either repealed or amended lifetime disenfranchisement laws since 1997.
- Twelve states have expanded voting rights to some or all persons on probation and/or parole since 1997.

Voting and Public Safety for Persons Completing their Sentence

When this nation was founded as an experiment in democracy two centuries ago, it was a very limited experiment rooted in a paradox. Women were not permitted to vote, nor African Americans or people who were poor or could not read. Over time evolving public

¹ Maryland's Department of Legislative Services might be able to provide an updated analysis on persons completing their felony sentence in state prisons and local jails who are impacted by HB 1022. *Please see [Racial Equity Impact Notes](#).*

² Uggen, C., Larson, R., Shannon, S., & Stewart, R. (2022). *[Locked out 2022: Estimates of people denied voting rights due to a felony conviction](#)*. The Sentencing Project.

³ Porter, N.D., & McLeod, M. (2023). *[Expanding the Vote: State Felony Disenfranchisement Reforms, 1997-2023](#)*. The Sentencing Project.

⁴ D.C. Law 23-277. *Restore the Vote Amendment Act of 2020*. <https://code.dccouncil.gov/us/dc/council/laws/23-27>

sentiment has enfranchised all those groups, and we now look back on that moment with a great deal of national embarrassment. It is long past time to remedy the exclusion of the last remaining group of citizens who are denied the right to vote. This would represent a healthy expansion of our democracy and public safety. Voting is among several prosocial behaviors for justice impacted persons, like getting a college education, that is associated with reduced criminal conduct.⁵ Having the right to vote or voting is related to reduced recidivism for persons with a criminal legal history.⁶

Disenfranchisement has no deterrent effect on crime.⁷ Some critics of prisoner voting contend that being sentenced to a felony is an indicator of being “untrustworthy.” Any character test is a slippery slope and this minimizes eligible voters. You might be concerned that your neighbor is an alcoholic or has personality flaws, but they still maintain the right to vote in a democracy.⁸

Felony disenfranchisement also ignores the important distinction between legitimate punishment for a crime and one’s rights as a citizen. Convicted individuals may be sentenced to prison, but they generally maintain their basic rights. Even if someone is held in a maximum security prison cell, they still have the right to get married or divorced, or to buy or sell property. And to the extent that voting is an extension of free speech, consider that a person in prison may have an op-ed published, perhaps with greater impact than casting a single vote. Persons who are currently disenfranchised are anchoring policy change campaigns in Nebraska and Texas.⁹

Disenfranchisement proponents sometimes raise the possibility of a prisoners’ “voting bloc” that would run counter to the interests of the “law-abiding public.” The assertion of such a scenario should be obvious. If such a group of “pro-crime” individuals were a real threat, they would somehow have to convince the public into electing a majority of state

⁵ Bozick, R., Steele, J., Davis, L., & Turner, S. (2018). Does providing inmates with education improve postrelease outcomes? A meta analysis of correctional education programs in the United States. *Journal of Experimental Criminology*, 14, 389-428. <https://doi.org/10.1007/s11292-018-9334-6>; Uggen, C., Manza, J., & Behrens, A. (2013). ‘Less than the average citizen’: Stigma, role transition and the civic reintegration of convicted felons. In S. Maruna & R. Immarigeon (Eds.), *After crime and punishment* (pp. 258-287). Willan. <https://doi.org/10.4324/9781843924203>; Uggen, C., & Manza, J. (2004). Voting and subsequent crime and arrest: Evidence from a community sample. *Columbia Human Rights Law Review*, 36(1), 193-216.

⁶ Hamilton-Smith, G. P., & Vogel, M. (2012). The violence of voicelessness: The impact of felony disenfranchisement on recidivism. *Berkeley La Raza Law Journal*, 22, 407-432. <https://doi.org/10.15779/Z38Z66E>; Uggen & Manza (2004), see note 8.

⁷ Poulos, C. (2019). *The fight against felony disenfranchisement*. Harvard Law and Policy Review Blog. <https://journals.law.harvard.edu/lpr/2019/05/30/the-fight-against-felon-disenfranchisement/>

⁸ Mauer, M. (2011). *Voting behind bars: An argument for voting by prisoners*. in Howard Law Journal. <https://www.prisonpolicy.org/scans/sp/Voting-Behind-Bars-An-Argument-for-Voting-by-Prisoners.pdf>

⁹ Demetrius Gatson, an organizer with the ACLU of Nebraska, is disenfranchised while completing her parole sentence.; Jorge Renaud, director of criminal justice for LatinoJustice, is disenfranchised while completing his parole sentence in Texas.

legislators as well as a governor who shared their position. This far fetched concern is hardly a threat to public safety.

The Case to Guarantee Voting Rights for All

Felony disenfranchisement policies, including for persons completing their prison sentence, are inherently undemocratic. The United States is very much out of line with world standards, and it is important to take a fresh look at the rationale and impact of policies that can only be described as aberrant by international norms.¹⁰

A prison term results in barriers to employment including reduced lifetime earnings, and restrictions on access to various public benefits. Families of incarcerated residents themselves experience the shame and stigma of incarceration, as well as the loss of financial and emotional support with a loved one behind bars. For the community at large, the challenges of reentry result in high rates of recidivism, extraction of social and political capital, and the collateral impact of mass incarceration.

The Sentencing Project applauds House Bill 1022 and is eager to see it advance through the House Judiciary Committee.

¹⁰ Ispahani, L. (2009). Voting rights and human rights: A comparative analysis of criminal disenfranchisement laws. In A. C. Ewald & B. Rottinghaus (Eds.), *Criminal disenfranchisement in an international perspective* (pp.25-58). Cambridge University Press. <https://doi.org/10.1017/CBO9780511576713.003>

3-7 LTK HB1022 Election Law - Incarcerated Individ

Uploaded by: Nikki Tyree

Position: FAV



TESTIMONY TO THE HOUSE JUDICIARY COMMITTEE

HB 1022 - Election Law - Incarcerated Individuals - Voting Eligibility and Access (Voting Rights for All Act)

POSITION: Support

By: Linda T. Kohn, President

Date: March 7th, 2024

The League of Women Voters of Maryland supports HB 1022 to expand and improve the way all citizens vote and have access to the ballot. LWVMD supports elections that are easy for the voter to understand, both in terms of how to vote and how their vote is counted, helps to ensure minority views and interests have some influence in selecting elected officials, and maximizes the power of each voter's vote.

Despite best efforts, the League recognizes there are current gaps in voting for those individuals serving sentences in prisons and jails across Maryland. Too often, the way they vote, if they're allowed to vote, is confusing, ill-explained, or offered in a way that the individual can not understand registration and voting procedures. It has been reported that many times, this is due to not understanding where or how this responsibility falls on Corrections.

HB 1022 does not seek to undermine our correctional system, its employees, or current Maryland voting eligibility. Instead, it will allow the State Board of Elections to work with our correctional officers to ensure greater participation throughout the voting season. This work will be done by SBE, who will be responsible for the drop-boxes, the materials, and the collections and work with the local boards to ensure a smooth process.

The League fully endorses the office of an Ombudsman position to ease the work that Corrections and the State Board of Elections have to do. It is imperative that with the number of people Maryland incarcerates, they have a resource to help with their civic rights. These voters cannot and should not rely on organizations like the League of Women Voters to fill the holes, know their rights, and then complete the paperwork. HB 1022 would bring the necessary measures a vulnerable community desperately needs so they can have full participation in their democracy.

The League has long since and will continue to uplift the voices and rights of marginalized communities in Maryland. HB 1022 would incorporate all state agencies to create a way to get as many voters access to the polls as possible.

LWVMD urges a favorable report on HB 1022.

HB1022_MDSierraClub_fav_Jud - 7Mar2024.pdf

Uploaded by: Richard Norling

Position: FAV



P.O. Box 278
Riverdale, MD 20738

Committee: Judiciary
Testimony on: **HB 1022 Election Law – Incarcerated Individuals – Voting Eligibility and Access (Voting Rights for All Act)**
Position: Favorable
Hearing Date: March 7, 2024

The Maryland Chapter of the Sierra Club urges a favorable report on HB 1022. The bill will give individuals convicted of a felony (except those convicted of buying or selling votes) the right to vote while they are incarcerated.

The Sierra Club and its members advocate on behalf of both the natural and human environments, including promoting racial and social equity. As a grassroots organization, we believe that all Maryland citizens of voting age should be allowed to register and vote. Although individuals incarcerated after conviction for a felony are necessarily subject to some restrictions, they are still human beings whose lives are impacted by government, so we believe they should be allowed to vote in election of public officials.

In 2015 the General Assembly passed legislation¹ allowing individuals convicted for a felony (except those convicted of buying or selling votes) to be eligible to vote in Maryland as soon as their incarceration ends. Individuals incarcerated for a felony are currently allowed to vote in D.C., Maine, and Vermont, and this bill will give them (except those convicted of buying or selling votes) that right in Maryland.

The bill also requires secure election drop boxes in all state corrections facilities and creates an Ombudsman position to oversee and advocate for voting access of incarcerated individuals.

We believe our democracy is strongest when everyone is allowed to participate in governmental decisions that affect their lives.

For these reasons, we urge a favorable report on HB 1022.

Rich Norling
Chair, Voting Rights Committee
Rich.Norling@MDSierra.org

Josh Tulkin
Chapter Director
Josh.Tulkin@MDSierra.org

¹ [HB 980 of 2015](#) became law after the General Assembly overrode the Governor's veto early in the 2016 session.

Demos_HB 1022_Testimony.pdf

Uploaded by: Roni Druks

Position: FAV



**Testimony Prepared by Roni Druks, Senior Counsel, Dēmos
Maryland General Assembly Judiciary Committee
Honorable Delegate Luke Clippinger, Chair
Honorable Delegate Sandy J. Bartlett, Vice Chair
March 2024**

Thank you, Chairman Clippinger, Vice Chair Bartlett, and members of the Maryland General Assembly Judiciary Committee for the opportunity to provide written testimony for the Judiciary Committee’s hearing on House Bill 1022.

Introduction:

My name is Roni Druks, and I serve as Senior Counsel at Dēmos: A Network for Ideas and Action. Dēmos is a movement-oriented think tank committed to racial and economic justice. For over 20 years, Dēmos has championed pro-democracy and economic justice narratives and policy to build a just, inclusive, multiracial democracy and economy. Our pro-democracy work includes advocating for an end to penal disenfranchisement, which prevents millions of Americans from engaging in the franchise and which we know disproportionately impacts communities of color.

Today I am submitting written testimony on behalf of Demos to urge this committee to vote in favor of House Bill 1022, which would ensure that all residents of Maryland, including those who are currently incarcerated, have the opportunity to be heard and participate in our democracy. I urge this committee to pass House Bill 1022 because it would create a more just and inclusive democracy. Additionally, the reforms proposed by House Bill 1022 are feasible and practicable to implement.

HB 1022 would Forge a Path Toward a More Inclusive Democracy in Maryland

House Bill 1022 would forge a path toward a more inclusive democracy in Maryland. Penal disenfranchisement remains one of the primary drivers of disenfranchisement in the United States.¹ Indeed, approximately 5 million Americans are impacted by felony disenfranchisement

¹ See Laura Williamson and Naila Alwan, *Enfranchisement for All: The Case for Ending Penal Disenfranchisement in Our Democracy*, Demos, 6 (Mar. 25, 2021), available at https://www.demos.org/sites/default/files/2021-03/Demos_IDA_EFA_FA.pdf (Demos defines penal disenfranchisement as “the system of laws, policies, and practices that prevent people involved in the discriminatory criminal legal system from voting”)

laws, which strip individuals with felony convictions of their right to vote.² In addition, despite remaining legally innocent and having every constitutional right to vote, roughly 427,000 Americans held in pretrial detention are prevented from engaging in the franchise due to the nearly insurmountable barriers they face while incarcerated.³ These barriers include an inability to access voter registration applications, difficulty in obtaining absentee ballots, and a lack of information regarding their eligibility to vote.⁴

Significantly, communities of color are disproportionately impacted by penal disenfranchisement. According to a 2022 Sentencing Project Report, 1 in 19 Black Americans of voting age cannot access the ballot due to penal disenfranchisement laws, a rate 3.5 times that of non-Black Americans.⁵ As a result of these laws and barriers, more than 10% of Black Americans cannot cast a ballot in Alabama, Arizona, Florida, Kentucky, Mississippi, South Dakota, Tennessee, and Virginia.⁶ While data on other communities of color are less robust and underreported, studies show that in at least 31 states Latino voters also experience felony disenfranchisement at higher rates than the general population.⁷

With the exception of those convicted of buying or selling votes, House Bill 1022 would ensure that all Maryland residents can exercise their right to vote regardless of conviction status.⁸ Moreover, the bill would reduce barriers to the franchise typically faced by individuals held in pretrial detention.⁹ It would ensure that incarcerated individuals are informed of their eligibility to vote, are offered frequent opportunities to register to vote, are provided with access to ballot drop boxes, and can contact a hotline to answer questions related to the voting process.¹⁰

² See Nicole D. Porter and Megan McLeod, *Expanding the Vote: State Felony Disenfranchisement Reform, 1997-2003*, Sentencing Project (Oct. 18, 2023), available at <https://www.sentencingproject.org/reports/expanding-the-vote-state-felony-disenfranchisement-reform-1997-2023/> (estimating that felony disenfranchisement laws disenfranchised 4.6 million Americans).

³ See Wendy Sawyer and Peter Wagner, *Mass Incarceration the Whole Pie*, Prison Policy Initiative 2023, Prison Policy Initiative (Mar. 14, 2023), available at <https://www.prisonpolicy.org/reports/pie2023.html#slideshows/slideshow1/2> (estimating that approximately 427,000 of the 613,000 individuals held in jail facilities have not been convicted of a crime).

⁴ See, e.g., *O'Brien v. Skinner*, 414 U.S. 524, 530 (1974) (holding that eligible incarcerated voters cannot be denied the right to vote merely because they are detained); Laura Williamson and Naila Alwan, *Enfranchisement for All: The Case for Ending Penal Disenfranchisement in Our Democracy*, Demos, 4 (Mar. 25, 2021), available at https://www.demos.org/sites/default/files/2021-03/Demos_IDA_EFA_FA.pdf (highlighting the administrative barriers including a lack of access to voter registration applications faced by individuals held in pretrial detention); Jackie O'Neil, *Detained and Disenfranchised: Overcoming Barriers to Voting from Jail*, Legal Defense Fund, <https://www.naacpldf.org/detained-and-disenfranchised-voting-from-jail/> (noting the various administrative barriers that individuals held in pretrial detention face including a lack of information about their right to vote and an inability to obtain voter registration applications); Wendy Sawyer and Peter Wagner, *Mass Incarceration the Whole Pie*, Prison Policy Initiative 2023, Prison Policy Initiative (Mar. 14, 2023), available at <https://www.prisonpolicy.org/reports/pie2023.html#slideshows/slideshow1/2> (estimating that approximately 427,000 of the 613,000 individuals held in jail facilities have not been convicted of a crime).

⁵ Christopher Uggen, Ryan Larson, Sarah Shannon and Robert Stewart, *Locked Out 2022: Estimates of People Denied Voting Rights*, Sentencing Project, 2 (Oct. 25, 2022), available at <https://www.sentencingproject.org/app/uploads/2024/02/Locked-Out-2022-Estimates-of-People-Denied-Voting.pdf>.

⁶ *Id.*

⁷ *Id.*

⁸ H.B. 1022, 2024 Gen. Assemb., 446th Sess. (Md. 2024).

⁹ *Id.*

¹⁰ *Id.*

Ultimately, House Bill 1022 would represent a leap forward in creating an inclusive democracy in Maryland, impacting thousands of currently incarcerated individuals and ensuring that every voice is heard.¹¹

HB 1022 can be Feasibly and Practicably Implemented

The Judiciary Committee, moreover, should vote in favor of House Bill 1022 because its reforms are feasible and practicable to implement. Indeed, Maryland's sister jurisdiction, the District of Columbia, successfully enacted similar reforms in 2020.¹² Notably, in 2020, the Restore the Vote Amendment Act (RVAA) expanded the right to vote to all eligible incarcerated people in the District of Columbia. Under the RVAA, the Department of Corrections was designated as an automatic voter registration agency; the Department of Corrections was tasked with hiring personnel whose sole responsibility was to oversee the civic engagement and enfranchisement of incarcerated individuals; and the District of Columbia Board of Elections was required to provide every unregistered elector with a voter registration form, a post-paid return envelope, as well as educational materials about the right to vote.¹³ Reflecting the success of the RVAA, as of November 2022, out of approximately 5,000 incarcerated D.C. residents, 1,687 were registered to vote for the General Election.¹⁴ Ultimately the success of the RVAA proves that it is logistically feasible for Maryland to effectively implement House Bill 1022. In doing so, Maryland would be following the lead of its sister jurisdiction in expanding the franchise and building a more inclusive political process.

Conclusion:

American democracy is strongest when all of its citizens have an equal say in the decisions affecting their lives and their communities. Unfortunately, in the present day, penal disenfranchisement prevents thousands of Maryland residents from voting and shaping their futures. House Bill 1022 would right this wrong and create a pathway toward a more inclusive democracy. The bill would expand the right to vote to thousands of currently incarcerated Maryland residents and ensure that their voices are heard in the political process. In doing so, Maryland would join its sister jurisdictions such as the District of Columbia in forging a path toward a more perfect union.

I would like to thank you for the opportunity to submit testimony in favor of HB 1022. I am available to answer any questions, and Dēmos is eager to work with you going forward. I can be reached at Dēmos, 80 Broad Street, 4th Floor, New York, NY 10004, (212) 633-1405.

¹¹ *Maryland Profile*, Prison Policy Initiative, <https://www.prisonpolicy.org/profiles/MD.html> (last visited Mar. 5, 2024).

¹² Restore the Vote Amendment Act, D.C. Law 23-277 (2020).

¹³ *Id.*

¹⁴ See, e.g., *Implementation of the Restore the Vote Amendment Act of 2020*, District of Columbia Corrections Information Council and Board of Elections 1, 6 (March 2023), available at https://cic.dc.gov/sites/default/files/dc/sites/cic/page_content/attachments/CIC%20%26%20BOE%20Voting%20Report.pdf; *District of Columbia Profile*, Prison Policy Initiative, <https://www.prisonpolicy.org/profiles/DC.html#:~:text=In%20D.C.%2C%205%2C000%20people%20are,are%20on%20probation%20or%20parole> (last visited Mar. 5, 2024).

SUA Testimony on MD House Bill 1022.pdf

Uploaded by: Sunwoo Oh

Position: FAV



**Testimony of Sunwoo Oh
Senior Associate
Stand Up America**

**In support of House Bill 1022
to Guarantee Voting Rights Regardless of Incarceration Status
Submitted to the Maryland House Judiciary Committee**

March 5, 2024

Thank you for the opportunity to testify in support of House Bill 1022 to guarantee voting rights to all citizens, regardless of incarceration status. Stand Up America is a national grassroots organization working at the local, state, and federal levels to build a truly representative democracy, including by protecting and expanding voting rights. We are grateful for Delegate Jhneanelle Wilkins for her leadership on House Bill 1022.

The right to vote should not be up for debate. Yet, [4.6 million Americans](#) are unable to fulfill their civic duty because of laws preventing people who are incarcerated or formerly incarcerated from voting.

Restoring the freedom to vote for formerly and currently incarcerated Americans gives them the opportunity to fulfill their civic duty, successfully re-integrate into their communities, and make all our communities safer. Voting is a fundamental right that empowers us to have a say in the decisions that impact our lives and communities. Citizenship doesn't stop at the prison gates, and neither should the freedom to vote.

Momentum to Expand the Vote

Polling sponsored by Stand Up America, The Sentencing Project, Common Cause, and State Innovation Exchange, found that [56 percent of voters](#) support laws to guarantee the right to vote for all citizens 18 and older, including those in prison.

Given those results, it should come as no surprise that in addition to the strong grassroots movement in Maryland, there is also a national movement to end felony disenfranchisement.

There is an active movement at the federal level to pass both the Democracy Restoration Act ([H.R.4987/S.1677](#)), which would guarantee voting rights to citizens who have completed their

sentences, and the Inclusive Democracy Act ([H.R.6643/S.3423](#)), which would expand voting rights to include those who are currently incarcerated, setting the tone for this growing reform.

In recent years, the District of Columbia has restored voting rights to citizens who are still incarcerated, and many states have also restored voting rights to citizens post-incarceration through legislation, executive action, and ballot initiative.

Stand Up America's nearly two million members have advocated for federal legislation and helped pass rights restoration legislation in New York, Connecticut, and New Mexico. In Oregon and Illinois, our members are advocating to restore voting rights to currently incarcerated citizens. In both states, there are strong grassroots movements and legislative leadership behind passing legislation similar to House Bill 1022. Our community has driven over 10,000 emails and calls to lawmakers in support of voting rights restoration across the country.

This is a moment for Maryland to also step up as a leader in restoring the right to vote regardless of incarceration status.

Racial Justice Impact

Similar to poll taxes and literacy tests, felony disenfranchisement laws are Jim Crow relics designed to deny Black Americans the freedom to vote, and cannot be divorced from their original racist intent. [One in 19 Black Americans](#) of voting age is disenfranchised, a rate 3.5 times higher than the non-Black population.

Today, disenfranchisement laws disproportionately affect poor people and people of color, as they are more likely to be convicted of crimes and lose their freedom to vote while wealthy individuals can afford the best legal defense money can buy. Furthermore, [one million women are disenfranchised](#), making up approximately one-fifth of the total disenfranchised population. Since [a majority of women](#) in America's prisons are mothers, felony disenfranchisement laws keep mothers from having a say in the policies impacting their children.

All Americans should have a say in who represents them in government and the policies that affect their lives – from the quality of their kids' education to access to parks and clean water – just like everyone else. And, Americans who are in the government's custody should also have a say in who represents them in government and control their freedom.

* * *

Stand Up America applauds House Bill 1022 and calls on the Maryland House Judiciary Committee to advance this crucial democracy bill.

Late Testimony

Uploaded by: Yehesuah Downie

Position: FAV



March 5, 2024

House Judiciary Committee
House Ways & Means Committee
Maryland House of Delegates
Annapolis, Maryland 21401

Re: Support for HB 1022 to Restore Voting Rights to Individuals With Felony Convictions

Dear members of the House Judiciary and Ways & Means Committees:

On behalf of Campaign Legal Center (“CLC”), I am pleased to submit this testimony in support of HB 1022 to restore voting rights to individuals convicted of felonies with the exception of some voting-related convictions. I am providing this testimony at the invitation of Common Cause Maryland, a regulated lobbyist in the state.

My name is Yehesuah Downie, and I am the Restore Your Vote organizer for CLC’s Voting Rights program. CLC is a nonpartisan, nonprofit organization, based in Washington DC, that works to protect and strengthen American democracy across all levels of government. Our Restore Your Vote program helps restore voting rights to people with past convictions by providing direct rights restoration services and empowering community leaders to understand and monitor implementation of rights restoration laws.

I’m testifying today in support of House Bill 1022, a bill that would effectively end felony disenfranchisement in the State of Maryland. If passed, Maryland would join Vermont, Maine, Puerto Rico, and Washington, DC in eliminating this racist practice of felony disenfranchisement that serves no legitimate purpose within the criminal legal system and hinders rehabilitation and re-entry.

The United States is considered an anomaly amongst other democratic nations in its use of felony disenfranchisement. Out of 45 democratic nations, the United States is one of four nations that allows bans on voting after incarceration, and one of ten nations that allows bans on voting while incarcerated.¹ Maryland can be a better example for the country and lead the country in establishing a more inclusive and representative democracy.

Enfranchising incarcerated individuals is important for democratic accountability. Elected officials make consequential decisions every day that directly impact incarcerated voters: legislators make the laws that incarcerated voters are charged with breaking, district attorneys prosecute their cases, state judges adjudicate their cases, and sheriffs and other law enforcement police them on the streets and run the jails and prisons in which they are currently incarcerated. Incarcerated voters' exposure to the criminal legal system gives them a major stake in the outcome of public policy, and their participation is crucial if the ballot box is truly to be a site where we hold our elected officials accountable.

Still, despite these empirical facts and the experiences of incarcerated voters, felony disenfranchisement laws persist, and their history explains why. In many states, these laws were enacted after the Civil War and proliferated during the Jim Crow era with the explicit and open purpose of undermining the 14th and 15th Amendments.² Put simply, felony disenfranchisement exists and continues in the United States because of efforts to suppress voters and communities of color.³

This unfortunately rings true in Maryland, which has a history of delaying or obstructing progress toward equal voting rights for Black Marylanders. Maryland's 1867 Constitution allowed the state legislature to disenfranchise those convicted of "infamous crimes," and this language is still in the state's Constitution today.⁴ A handful of other states have similar language in their constitutions, and these terms were intentionally designed post-Reconstruction as a loophole to the promise of equal protection and political rights. Disenfranchising individuals who were convicted of "infamous crimes" allowed states to target and disenfranchise Black voters, and its use in Maryland's Constitution suggests the framers of the 1867 Constitution had that intent. Indeed, just a few years later, in 1870 the Maryland legislature rejected ratification of the 15th Amendment, which prohibits denial of the right to vote based on race and granted voting rights to Black men.⁵ Shamefully, Maryland was one of the last states to ratify the Fifteenth Amendment, which it did not officially ratify until 1973.⁶

¹ Britannica ProCon.org, *International Comparison of Felon Voting Laws* (last updated July 20, 2021), <https://felonvoting.procon.org/international-comparison-of-felon-voting-laws/>.

² Jennifer Rae Taylor, *Jim Crow's Lasting Legacy at the Ballot Box*, The Marshall Project (Aug. 20, 2018), <https://www.themarshallproject.org/2018/08/20/jim-crow-s-lasting-legacy-at-the-ballot-box>.

³ Erin Kelley, *Racism & Felony Disenfranchisement: An Intertwined History*, Brennan Center for Justice (May 9, 2017), <https://www.brennancenter.org/our-work/research-reports/racism-felony-disenfranchisement-intertwined-history>; George Brooks, *Felon Disenfranchisement: Law, History, Policy, and Politics*, 32 *Fordham Urban L.J.* 101 (2005), <https://ir.lawnet.fordham.edu/cgi/viewcontent.cgi?httpsredir=1&article=2140&context=ulj>.

⁴ Md. Const. art. I, § 4.

⁵ Baltimore & the Fifteenth Amendment, May 19, 1870 (1996), <https://msa.maryland.gov/dtroy/project/ratify/>; The Story of the 15th Amendment in Maryland (1996), <https://msa.maryland.gov/dtroy/project/story.html#:~:text=The%2015th%20Amendment%20would%20force.their%20support%20for%20black%20suffrage>.

⁶ Baltimore & the Fifteenth Amendment, May 19, 1870 (1996).

Maryland’s felony disenfranchisement system still carries the legacy of this history, as Black citizens in Maryland are disenfranchised at a rate six times that of white citizens, and Latinx citizens are disenfranchised at a rate of over twice that of white citizens.⁷ Black Maryland residents are incarcerated in state prisons at 5.3 times the rate of white Maryland residents, and because of this, the state’s felony disenfranchisement laws overwhelmingly silence the voices of Black voters.⁸ Felony disenfranchisement and its racist roots are a stain on our democracy. HB 1022 will erase this exclusionary electoral feature and restore the right to vote to thousands of voters from the state.⁹

A system of universal enfranchisement also protects against *de facto* disenfranchisement—i.e., the process by which confusion and misinformation around voting after a felony conviction leads many people with past convictions—and election officials—to believe wrongly that they cannot vote, even if they are eligible.¹⁰ To combat this, HB 1022 will create a simple, bright line rule that improves election administrability.

In sum, HB 1022 is Maryland’s opportunity to join a growing vanguard of states that are working toward restoring voting rights to citizens with past convictions,¹¹ and to become a national leader on the issue. HB 1022 will eliminate the outdated, discriminatory, and anti-democratic practice of felony disenfranchisement, will solidify ballot access for incarcerated voters, and will affirm Maryland’s commitment to the principle that democracy works best when all eligible voters can participate. We urge you to take this important step and support HB 1022.

Respectfully submitted,

Yehehuah Downie

Campaign Legal Center

1101 14th St. NW, Suite 400

Washington, DC 20005

⁷ The Sentencing Project, Christopher Uggen, Ryan Larson, Sarah Shannon, & Robert Stewart, *Locked Out 2022: Estimates of People Denied Voting Rights* (Oct. 25, 2022) (showing higher rates of disenfranchisement for Black and Latino Maryland residents than the overall disenfranchisement rates).

⁸ Prison Policy Initiative, https://www.prisonpolicy.org/blog/2023/09/27/updated_race_data/#compare:see_also Ashley Nellis, The Sentencing Project, *The Color of Justice: Racial and Ethnic Disparity in State Prisons 21* (2021), [https://www.sentencingproject.org/publications/the-color-of-justice-racial-and-ethnic-disparity-in-state-prisons.pdf](https://www.sentencingproject.org/publications/the-color-of-justice-racial-and-ethnic-disparity-in-state-prisons) (sentencingproject.org).

⁹ *See id.* at 16.

¹⁰ *See* Erika Wood & Rachel Bloom, *De Facto Disenfranchisement*, Am. Civil Liberties Union & Brennan Ctr. for Justice 2-5 (2008), <https://www.aclu.org/other/de-facto-disenfranchisement>.

¹¹ *See* National Conference of State Legislatures, *Felon Voting Rights* (Feb. 9, 2023), <https://www.ncsl.org/elections-and-campaigns/felon-voting-rights>.

MCAA HB 1022 Letter Election.pdf

Uploaded by: Mary Ann Thompson

Position: UNF



HB 1022
Election Law – Incarcerated Individuals – Voting Eligibility Access
(Voting Rights for All Act)

MCAA Position: **OPPOSE**

TO: Judiciary & Ways and Means
Committee

DATE: March 5, 2024

FROM: Ryan Ross, President
Lamonte Cooke, Legislative Committee
Mary Ann Thompson, Legislative Committee

The Maryland Correctional Administrator’s Association (MCAA), an organization comprised of our statewide jail wardens and administrators for promoting and improving best correctional practices, appreciates the opportunity to provide information regarding House Bill 1022.

Local Detention Centers in the State of Maryland operate according to the Maryland Commission on Correctional Standards (MCCS), codified in Title 12 Department of Public Safety and Correctional Services, Subtitle 14 Commission on Correctional Standards

The proposed legislation, while heavily focusing on the duties and responsibilities of the Election Board, affects local detention centers. The bill for all intents and purposes is redundant as the local detention centers already work together with the local election boards, signage is posted, and voter registration forms and absentee ballot requests distributed and collected in accordance with deadlines. The processes are in place to ensure the incarcerated individuals who qualify vote in the Primary and General Elections.

The proposed House Bill does not consider the design of local detention centers. Local detention centers are not designed as State Prisons wherein there is an opportunity to reach ballot boxes. It should be further clarified that local detention centers are independently run and funded by each county and are not under the auspices of the Department of Public Safety and Correctional Services.

Even before the measures adopted in the past few years, local detention centers have complied with election law. In the past, the State of Maryland Office of the Attorney General, in 2008 and 2018, sent correspondence to the local detention centers to remind them of the importance of eligible incarcerated individuals voting as is their constitutional guarantee.

The Maryland Correctional Administrators Association strongly opposes this bill and respectfully requests this committee for an unfavorable report on House Bill 1022.

2024-HB1022-UNFav.pdf

Uploaded by: Nelda Fink

Position: UNF

HB1022 – UNFAVORABLE

Nelda Fink, MD District 32

Current legislation only allows incarcerated who are not convicted of felony to be eligible to vote. This bill allows all incarcerated to vote. And it doesn't provide any mechanism to distinguish between those eligible and those not eligible. On top of that those who are eligible can use an absentee ballot. Daha! What benefit will this bill bring and will the costs involved justify the number of people it will serve?

I oppose this bill and hope for an unfavorable report.

Thank you.

Nelda Fink

HB1022.pdf

Uploaded by: Suzanne Price

Position: UNF

HB1022 This bill lacks integrity and has ZERO way to instill integrity of voting via drop boxes in prisons and the COSTS all of the ridiculous extras. In addition you haven't given or there isn't any way to know **how much this will cost** Marylanders. THERE IS NO WAY to create a safe CHAIN OF COMMAND to protect voter's ballots in this bill. IT WILL COST A FORTUNE AND IT IS NOT SAFE, Necessary and one more time, it lacks integrity and is RIPE for more crime and fraud. Bring on the lawsuits !!! and how much will those cost Maryland?

And seriously this! You want to provide a **Voting Rights Ombudsman for Incarcerated Individuals!**, again why do some get more rights than the rest of us? People are in jail because they broke the law, but law abiding citizens don't deem all of these 'voting' perks? And again **HOW MUCH IS THIS GOING TO COST US**, YES the taxpayers? Don't you just love how these bureaucrats want to spend our tax dollars, on this kinda of stuff NOBODY asked for, or at least NONE of the taxpayers or law abiding citizens.

And **you want to give prisoners or 'provide a voter hotline for incarcerated individuals'**!

And also all of this:

EACH CORRECTIONAL FACILITY SHALL: 2

(1) DISPLAY SIGNS IN ACCORDANCE WITH THE REGULATIONS 3 ADOPTED BY THE STATE BOARD OF ELECTIONS UNDER § 1-303.1(B)(1) OF THE 4 ELECTION LAW ARTICLE IN ALL AREAS WHERE INDIVIDUALS ARE PROCESSED 5 DURING INTAKE OR FOR RELEASE AND IN APPROPRIATE AREAS WHERE THERE IS 6 HIGH VISIBILITY; 7

(2) PROVIDE THE BALLOT DROP BOX(ES) PROVIDED UNDER § 1-303.1(C) 8 OF THE ELECTION LAW ARTICLE TO ELIGIBLE VOTERS TO ENABLE THE SUBMISSION 9 OF ELECTION-RELATED MATERIALS TO ELECTION OFFICIALS; 10

(3) MONITOR AND SAFEGUARD THE BALLOT DROP BOX(es) PROVIDED 11 UNDER ITEM (2) OF THIS SUBSECTION; 12

(4) IF THE CORRECTIONAL FACILITY RECEIVES A BALLOT 13 ADDRESSED TO AN INDIVIDUAL WHO HAS BEEN RELEASED FROM INCARCERATION, **14 RETURN THE BALLOT TO THE LOCAL BOARD;** AND 15

(5) DESIGNATE AN EMPLOYEE WHO WILL SERVE AS THE PRIMARY 16 POINT OF CONTACT BETWEEN THE STATE BOARD OF ELECTIONS AND THE 17 CORRECTIONAL FACILITY FOR THE IMPLEMENTATION OF THIS SUBSECTION. 18

(C) THE STATE BOARD OF ELECTIONS SHALL PROVIDE EACH 19 CORRECTIONAL FACILITY ADVICE AND GUIDANCE IN CARRYING OUT THE 20 REQUIREMENTS OF SUBSECTION (B) OF THIS SECTION. 21 (D) EACH CORRECTIONAL FACILITY SHALL COOPERATE FULLY WITH THE 22 STATE

BOARD OF ELECTIONS AND THE LOCAL BOARDS OF ELECTIONS IN 23
IMPLEMENTING THIS SECTION. 24 Article – Election L

As an **advocate in Maryland for Voter Integrity** this is a **RED FLAG** of trouble for Maryland and taxpayers.

PLEASE SAY NO to this very bad bill that has the potential for a million loose ends. It is poorly thought out and will cost Maryland millions. It also does not instill voter confidence in our elections, it does the opposite. At a time when 80% of Americans lack trust in our elections and trust in government is at an all time low this is seriously bad timing and a terrible bill.

Suzanne Price
AACo, MD

- **80% of Americans support Voter I.D.**
https://www.monmouth.edu/polling-institute/reports/monmouthpoll_us_062121/ AND
<https://www.cnn.com/2021/06/25/politics/voter-id-election-law-voting-rights/index.html>
- <https://www.pewresearch.org/politics/2023/09/19/public-trust-in-government-1958-2023/>

HB1022.DPSCS_LOI.pdf

Uploaded by: Catherine Kahl

Position: INFO



Department of Public Safety and Correctional Services

Office of Government & Legislative Affairs

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STATE OF MARYLAND

WES MOORE
GOVERNOR

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DEPUTY SECRETARY
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OPERATIONS

ANGELINA GUARINO
ASSISTANT SECRETARY
DATA, POLICY AND GRANTS

RENARD BROOKS
ASSISTANT SECRETARY
PROGRAMS, TREATMENT AND
REENTRY SERVICES

JANELLE B. MUMMEY
DIRECTOR

BILL: HOUSE BILL 1022

POSITION: LETTER OF INFORMATION

EXPLANATION: This bill requires the Department of Public Safety and Correctional, in coordination with the State Board of Elections, to facilitate voting in State correctional facilities.

COMMENTS:

- The Department of Public Safety and Correctional Services' Division of Correction operates 13 State correctional facilities housing offenders sentenced to periods of incarceration for 18 months and longer. The Department also oversees five facilities located in Baltimore City that houses pretrial detainees and incarcerated individuals sentenced to incarceration for periods of 18 months and less.
- The Department understands the importance of voting and is committed to ensuring all eligible voters incarcerated in State correctional and pretrial facilities are afforded the right to vote and that each eligible voter has access to voter material, including registration applications and mail in ballot request forms.
- The provisions of this bill are duplicative, as the Department has a robust voter program in place and works collaboratively with the State Board of Elections (SBE) and the local boards to facilitate voting for eligible incarcerated individuals in State correctional facilities as required by HB 222 - Value My Vote Act that passed in 2021 and contained the same requirements as this bill.
- HB 1411 requires the SBE to provide ballot boxes to correctional facilities. However, the DOC already installed ballot boxes in all State correctional facilities that are monitored by security cameras.
- In addition, ballot boxes are also available at the Baltimore City Booking and Intake Center to facilitate voting as required by SB 525 that also passed in 2021. The Department coordinates with the local

boards of elections to collect the election material from the ballot boxes at BCBIC and the DOC correctional facilities.

- Furthermore, the Department ensures election notices, deadlines, and promotional information to advise incarcerated individuals of voter eligibility requirements, right to request a voter registration are posted throughout the correctional facilities and are also available to incarcerated individuals through case management.
- Restoration of voting rights notices are also posted throughout each correctional facility to inform ineligible incarcerated individuals of their eligibility to vote upon release. This information is also included in every incarcerated individual's release packet, along with voter registration information and forms.
- The Department will continue to ensure that all eligible incarcerated individuals have access to election material as well as the opportunity to vote.

CONCLUSION: The Department of Public Safety and Correctional Services respectfully urges the Committee to consider this information as it deliberates on House Bill 1022.