

**Testimony *in Support of House Bill 115 (Favorable)*
Election Law – Individuals Released from State Correctional Facilities –
Automatic Voter Registration**

To: Delegate Melissa Wells, Chair, and Members of the House Government, Labor, and Elections Committee

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The Racial Justice and the Law Clinic represents individuals who have served decades in Maryland prisons for crimes they committed as children and emerging adults and, more broadly, engages matters that examine, address, and aim to redress racial inequities and other harms experienced by historically racially marginalized groups. The Clinic supports House Bill 115, which would automatically restore the voter registration of individuals upon their release from incarceration.

Voting in local, state, and federal elections is the highest and most cherished form of civic engagement. Since 2016, formerly incarcerated individuals in Maryland regain their voting rights immediately upon release.¹ However, there is a stark difference between regaining the right and having the opportunity to exercise it. HB 115 seeks to bridge this difference by providing to formerly incarcerated individuals the opportunity to vote. Automatically restoring voter registration recognizes the value of having formerly incarcerated individuals engaged in our democracy, and it signals that their perspectives and experiences matter.

Formerly incarcerated individuals face many barriers to exercising their right to vote. Some may not know that their voting rights have been restored, or that they even have voting rights, particularly because they were stripped of the ability to vote during their incarceration. Also, some formerly incarcerated individuals may not know how to vote. In a survey of 132 incarcerated individuals in Maine and Vermont, states that preserve the right to vote for individuals serving prison sentences, 49% reported that they did not know how to vote within their facilities.² Yet

¹ Md. Code Ann., Election Law § 3-102(b)(1); see *Voting Rights Restoration Efforts in Maryland*, BRENNAN CTR. FOR JUST. (Mar. 10, 2016), <https://www.brennancenter.org/our-work/research-reports/voting-rights-restoration-efforts-maryland> (detailing Maryland’s progress in restoring formerly incarcerated individuals’ voting rights).

² *Voting from Prison: Lessons from Maine and Vermont*, THE SENT’G PROJECT 6-7 (July 9, 2025), <https://www.sentencingproject.org/app/uploads/2025/07/Voting-From-Prison-Lessons-from-Maine-and-Vermont.pdf>.

CLINIC another challenge formerly incarcerated individuals may face is meeting voter registration deadlines to vote in upcoming elections. Automatically registering formerly incarcerated individuals eliminates these barriers and others and ensures that it will be easier to vote on election day.

Finally, passing HB 115 is another important step to help address disenfranchisement, especially for Black Marylanders. Maryland incarcerates the highest percentage of Black people in the United States. Here, Black people make up approximately 30% of the general population, but 71% of the incarcerated population.³ As the Sentencing Project details, “[v]oting eligible Black Marylanders are over five times as likely as non-Black Marylanders to lose their right to vote due to incarceration for a felony conviction.”⁴ Automatically registering formerly incarcerated individuals to vote is one way to help break down these systemic racial disparities in incarceration.

For these reasons, the Clinic respectfully asks the Government, Labor, and Elections Committee to issue a favorable report.

This written testimony is submitted on behalf of the Racial Justice and the Law Clinic at the University of Maryland Francis King Carey School of Law and not on behalf of the School of Law, the University of Maryland, Baltimore, or the University of Maryland System.

³ BREAKING THE 71%: A PATH TOWARD RACIAL EQUITY IN THE CRIMINAL LEGAL SYSTEM, MD. EQUITABLE JUST. COLLABORATIVE 7 (2025).

⁴ WHY WE MUST RESTORE VOTING RIGHTS TO OVER 16,000 MARYLANDERS, THE SENT’G PROJECT 1 (Mar. 5, 2025).