

May 22, 2015

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H-107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 340 – *Election Law – Voting Rights – Ex-Felons*. This bill would allow a person convicted of a felony to register to vote when the individual is released from prison even if they are still subject to parole or probation.

In addition to criminal penalties that may be imposed at sentencing, there are many collateral consequences to felony convictions under Maryland law. Felony convictions result in the loss of certain voting privileges and the right to possess and own firearms. In addition, felony convictions limits one's ability to serve on a jury, enlist in the military, or obtain select employment and professional licenses.

The fact is that persons released from incarceration on parole or mandatory supervision are still serving their time as a debt to society for their actions. Section 7-308 of the Correctional Services Article of the Annotated Code of Maryland states that a "parolee remains in legal custody until the expiration of the parolee's full, undiminished term." Similarly, regarding mandatory supervision, Section 7-502 of that Article states that an ". . . individual on mandatory supervision remains in legal custody until the expiration of the individual's full term." In other words, parole and mandatory supervision are only conditional releases from incarceration because the released inmate must comply with the conditions of release imposed by the Parole Commission. Similarly, a felon on probation would likely be supervised and have conditions imposed, the violation of which may subject the individual to incarceration.

The Maryland General Assembly passed legislation in 2002 and 2007 to restore voting rights to those individuals convicted of a felony provided that the court-ordered sentence, including any terms of parole and probation, have been completed. The current law achieves the proper balance between the repayment of obligations to society for a felony conviction and the restoration of the various restricted rights as stated above.

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For these reasons, I have vetoed Senate Bill 340.

Sincerely,

Governor Lawrence J. Hogan, Jr.