

January 16, 2019

Testimony on HB51
Election Law – Individuals Released from Correctional Facilities – Voter Registration
Ways and Means

Position: Favorable w/ Amendments

Common Cause Maryland supports HB51, which would require a correctional facility to provide an inmate who has completed a sentence of imprisonment for a felony conviction with a voter registration form before upon their exit from prison. Just as important, the bill will require a correctional facility to inform inmates that they have the right to vote once they are released from the correctional facility, and that the inmate must register to vote.

While we support providing inmates with a voter registration form upon exit as well as the requirement that correctional facility staff informing that their right to vote is now restored, helping to address the lack of outreach and education that has been done to ensure the more than 40,000 former felons are aware that their right to vote has been restored, we believe this bill can be improved. We ask that the committee consider the following amendments.

- Include that the Department of Public Safety and Correctional Services take steps to educate inmates about their voting rights before their release. This would include the requirement that all parole and probation offices display a sign indicating that all persons who are no longer incarcerated have the right to vote.
- A requirement that the department of public safety and correctional services post an electronic notice indicating that all persons who are no longer incarcerated have the right to vote on their website.
- A requirement that Correctional facilities fully cooperate with the state and local boards of election in establishing a program to inform eligible voters of upcoming elections and how the eligible voters may exercise the right to vote.
- A requirement that the State Board of Elections adopt regulations establishing a program to inform eligible voters of upcoming elections and help them exercise their right to vote.
- The program established by the State Board of Elections must include the dissemination of information on voter eligibility and voter registration applications, occurring at least 30 days prior to the registration deadline.
- It should also be required that the program includes timely dissemination and filing of voter registration applications, absentee ballot applications, absentee ballots, and instructions for voting by absentee ballot.

It is our recommendation that the State Board of Elections work closely with advocates including those who have been directly impacted by the criminal justice system when developing this program, as well as, individuals in the local jurisdictions whom will be pertinent to the process.



Voting should be accessible for all eligible voters and a major component to voter accessibility is awareness. Despite this, there is broad misunderstanding among jail and prison officials, and indeed among incarcerated persons themselves, regarding the voting rights of incarcerated persons. There are few programs that make it possible for those behind bars to exercise their right to vote and the logistical considerations of registering and/or voting from jail or prison can make it extremely difficult.

Voting allows individuals to maintain a connection with their communities during incarceration, which can be instrumental for effective re-entry.

Finally, Maryland's prisons and jails are disproportionately filled with Black and Brown bodies—the inability of this population to access the ballot raises serious racial equity concerns.

We urge a favorable report on HB 51.

