



Advocating better skills, jobs, and incomes

TESTIMONY IN SUPPORT OF House Bill 568:

Election Law - Correctional Facilities - Voter Registration and Voting

TO: Hon. Anne Kaiser, Chair, and Members of the House Ways and Means Committee

FROM: Christopher Dews, Policy Advocate

DATE: February 11th, 2020

The Job Opportunities Task Force (JOTF) is an independent, nonprofit organization that advocates for better jobs, skills training, and wages for low-income workers and job seekers in Maryland. We support House Bill 568 as a means of ensuring that disenfranchised citizens in Maryland have access to the electoral process.

The 2018 midterm election saw alarming reports of voter suppression across the country. Often excluded in these reports are a segment of our population that remains unseen: incarcerated, yet eligible voters. Maryland is one of the few states that have restored voting rights to individuals with a felony conviction. Most, however, have no idea that their voting status has been restored. Additionally, those individuals who are incarcerated while pending trial – known as pretrial defendants – and individuals convicted solely of a misdemeanor offense lack access to voter registration resources. There are currently over 9,000 people being held in pretrial detention in Maryland. Many of these individuals come from low-income communities and are people of color. In each election cycle, countless voters are excluded from participating in the electoral process as a result of their pretrial detention status, preventing them from accessing voter registration forms, absentee ballots, voting booths, and critical information on voting eligibility and deadlines.

Under current Maryland law, individuals in a correctional facility awaiting trial or incarcerated solely for a misdemeanor offense are *eligible to vote*. Currently, no executive agency is held accountable for ensuring that pretrial defendants and misdemeanants have access to voter registration and ballots. The proposed legislation would mandate specific actions for the Department of Corrections and the State Board of Elections that would resolve the issue.

With this legislation, The Department of Corrections is required to provide each individual released from a correctional facility with a voter registration application, informing them that their voting rights have been restored and post notices in probation offices and online that formerly incarcerated citizens have the right to vote.

The State Board of Elections will also have three new responsibilities. First, to establish a program to inform eligible voters of upcoming elections and how the voters may exercise their right to vote and then

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provide actual voting ballots. Next to disseminate information on eligibility requirements for voter registration applications 30 days before the registration deadline as well as give instructions on the absentee ballot process. Lastly, the State Board of Elections will submit an annual progress report of the number of eligible voters who registered to vote, attempted to vote and voted successfully by absentee ballot. The value of this report will be immeasurable in systemically defining the impact this legislation will have on our democracy.

House Bill 568 would ensure that incarcerated individuals who are eligible to vote are provided unfettered access to the means needed to ensure their vote is counted. The proposed legislation is, indeed, a necessary step to reducing the impact of incarceration on residents. For these reasons, we urge a favorable report of House Bill 568.