

SB 224_FAV_ACLUMD_Amanuel.pdf

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Position: FAV



**Testimony for the Senate Education, Health, and Environmental
Affairs Committee**

February 4, 2021

SB 224-Value My Vote Act

FAVORABLE

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The ACLU of Maryland urges a favorable report on SB 224, 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.

Voting is the hallmark of our democracy—a system of government that is strongest when all voices are included. If an individual is eligible to vote, whether incarcerated or not, that right must be honored. As the Supreme Court noted in the 1964 case, *Reynolds v. Sims*:

Undoubtedly, the right of suffrage is a fundamental matter in a free and democratic society. Especially since the right to exercise the franchise in a free and unimpaired manner is preservative of other basic civil and political rights, any alleged infringement of the right of citizens to vote must be carefully and meticulously scrutinized.¹

Though the voting rights of people with criminal convictions vary from state to state, most people who are incarcerated in county jails across the country legally have the right to vote. However, most people are not aware of their right or experience obstacles when they reach for the ballot box. For instance, difficulty obtaining voter registration forms and absentee ballot applications, or inability to afford postage stamps, make it nearly impossible for even a very determined incarcerated voter to register or vote in an election. As a result, many eligible adult citizens are denied the right to vote purely because they happen to be incarcerated. This is known as de-facto disenfranchisement, when eligible would-be voters are deprived of their right to cast a ballot because of complicated practices and procedures.²

¹ Reynolds v. Sims, 377 U.S. 533 (1964)

² CHRISTOPHER UGGEN ET AL., THE SENTENCING PROJECT, 6 MILLION LOST VOTERS: STATE-LEVEL ESTIMATES OF FELONY DISENFRANCHISEMENT, 2016 6 (2016).

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.

In 2011, San Francisco took steps much like that being proposed under SB 224 and saw that inmates had the highest turnout rate of any group in the 2012 election—approximately 90 percent.³

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 regarding the dilution of the voting power of these communities.

For the foregoing reasons, we urge a favorable report on SB 224.

³ Aaron Sankin, Huffington Post, San Francisco Prisoners Voting: Registration Among Inmates Reaches Record High (Nov. 20, 2012).

SB 224 - Election Law - Correctional Facilities -

Uploaded by: Antoine, Joanne

Position: FAV

February 4, 2021

Testimony on SB 224
Election Law - Correctional Facilities – Voter Registration and Voting (Value My Vote Act)
Education, Health, and Environmental Affairs

Position: Favorable

Common Cause Maryland support SB 224 which would require the State Board of Elections and the Department of Public Safety and Correctional Services to work in partnership to ensure eligible incarcerated voters have access to voting and voting information.

Currently, individuals who are pretrial or have been convicted of a misdemeanor have the right to vote. However, they are not ensured access to voting. During the 2020 general election, advocates were able to work in partnership with the State Board of Elections to make voter registration and mail-in ballot request forms available in certain correctional facilities. While this was a step forward and we believe many incarcerated voters, if receiving their mail-in ballot in time, were able to vote – those efforts are not sustainable and need to be done with the cooperation of these facilities.

SB 224 would help to address this issue by requiring DPSCS to work in partnership with SBE in order to disseminate voter registration and mail-in ballot materials to eligible voters. This legislation would also require them to work in partnership to educate eligible incarcerated voters about their voting rights before their release as well as incorporating signage and other materials into their existing programs to continue to make eligible voters aware of their right to vote and how to vote while incarcerated and upon release.

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 – including those who are incarcerated. We must give people the tools to vote and a major component to voter accessibility is awareness. 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.

Voting should be accessible for all eligible voters no matter who they are or where they temporarily reside. SB 224 builds on the progress made during the 2020 general election and is a step forward in ensuring access for those who should have always had it.

We urge a favorable report.

GMOM_SB224test_020421.pdf

Uploaded by: Cooper, Charlie

Position: FAV



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**TESTIMONY BEFORE THE EDUCATION, HEALTH, AND
ENVIRONMENTAL AFFAIRS COMMITTEE
SUPPORT FOR SENATE BILL 224– ELECTION LAW –
CORRECTIONAL FACILITIES - VOTER REGISTRATION AND VOTING**

February 4, 2021

Get Money Out (GMOM) is an all-volunteer organization that was established just over seven years ago. We now have more than 9,000 citizen supporters. We work in Maryland toward the goals that all citizens should have equal access to the ballot and an equal say in governance.

Our democracy is in a crisis. Many do not participate in voting or in other aspects of civic engagement. Many others who do vote are losing faith in key elements of democratic participation. A 2020 survey by the Pew Foundation found 59% of US participants to be dissatisfied with how well democracy is working, and that was before the events surrounding the 2020 election.ⁱ

Over our eight-year existence, GMOM has supported facilitating voting for all eligible voters. We actively supported House Bill 980 in the 2015 session, which became law and provided that people convicted of a felony are eligible to vote once they are returned to the community through probation or parole. Senate Bill 224 will make sure that those so released are informed of their right to vote.

Some of the persons whose voting would be facilitated by this bill are innocent of crime but detained for trial. Others are being detained for misdemeanors and may believe that incarceration itself is disqualifying. And, as a practical matter, the mechanics of voting while incarcerated have been difficult at best.

We strongly support the introduction of voter-registration personnel in these facilities. It should go a long way toward dispelling myths about who is and who isn't eligible to vote. We also believe that the very act of considering one's public responsibilities can be a factor that edges the person toward remaining or becoming law abiding. The "corrections" department should help the confined person move toward accepting his or her civic responsibility.

We urge a favorable report on SB 224 in order to continue Maryland's enviable record of making voting available and accessible to all eligible citizens.

ⁱ <https://www.pewresearch.org/fact-tank/2020/02/27/how-people-around-the-world-see-democracy-in-8-charts/>

SB224_FAV_MJP.pdf

Uploaded by: Cooper, Monica

Position: FAV



TESTIMONY IN SUPPORT OF SB0224:

Election Law – Correctional Facilities – Voter Registration and Voting

TO: Hon. Paul Pinsky, Chair, and Members of the Education, Health and Environment Affairs Committee

FROM: Monica Cooper, Executive Director

DATE: February 4th, 2021

Dear Chairman and members of the committee,

The Maryland Justice Project would like to ask for your support on SB224: Value My Vote Act.

Our organization works with Women and Girls Incarcerated and Formerly Incarcerated. I can tell you from my experience that there are several things that concern incarcerated individuals:

1. How can I get my life back on track once I get out,
2. Will I be able to exercise my right to vote?

For myself, after more than a decade of having all my rights taken away from me due to incarceration, I felt powerless over my circumstances. Breaking societal mores and having to forgo your right to decent housing, adequate meals, proper medical care, and mental health treatment is a reality behind bars. I spent over a decade at the Maryland Correctional Institution for Women and the hurt and pain of losing one's freedom to choose when you go to bed when you eat how fast you walk in indescribable. The one thing that I looked forward to the most was an opportunity to exercise my right to vote. I recognized the one way to have my voice heard was through my vote. The most powerful weapon we process is the vote and with the current efforts to suppress votes and to keep citizens from voting, Maryland should do everything in its power to ensure all of its citizens are made fully aware of their voting rights. Maryland should ensure that all its citizens have access to the ballot.

I do realize the history of voting in America and all her efforts to suppress votes particularly the votes of Black persons; however, I am encouraged by the many efforts our state has made in terms of its returning citizens' right to vote. I am personally elated and will never take my right to vote for granted. This legislation will just continue that trend of equity at the polls and will help to chip away at the long-standing efforts to strip American Citizens of the Inalienable Right to Vote. Maryland is certainly leading the way in terms of righting the wrongs of historical voter suppression. Under no circumstances should an individual's right and access to the polls be denied.

In closing, I would like to add that not only am I a returning citizen, I am an elected official. In 2018 I was elected to serve on the Democratic State Central Committee 40th District. To end up as an



elected official is one of the most significant events to ever occur in my life. The fact that I was able to come from incarceration and run for office is a testament to Second Chances and it speaks volumes to the wonderful benefit we stand to gain when we keep all our citizens engaged in the voting process.

This writer prays that the committee will continue to set the standard for other states. Also thank you, if it were not for lawmakers I would not be an elected official. The restoration of my voting rights has me in the position to help our state become more inclusive and better for all its citizens. Thank you, Monica Cooper, Executive Director of Maryland Justice Project.

SB0224__ Election Law – Correctional Facilities –

Uploaded by: Demnowicz, Cristi

Position: FAV



BILL: SB0224

BILL TITLE: Election Law – Correctional Facilities – Voter Registration and Voting

BILL SPONSOR: Senator West

POSITION: Favorable

COMMITTEE: EHEA

HEARING DATE: February 2, 2021

TESTIMONY IN SUPPORT OF SB0224

Cristi Demnowicz, Chair
Represent Maryland

Represent Maryland is an all-volunteer, member and individual donor-funded group of statewide activists and advocates who fight for democracy at the local and state level. We formed in 2015 to fight against the influence of big money in politics and to ensure that everyone can participate in our democratic system of governance, regardless of financial status. Since forming we've expanded our priorities to include ending all forms of voter suppression.

Not giving voting access to citizens who are in jail but legally have the right to vote (i.e. pre-trial individuals and those with misdemeanor convictions) is absolutely a form of voter suppression and goes against our vision of Democracy for America. But sadly, this practice is as American as apple pie. Jail, prison, and felony voter suppression are rampant across the country and in some ways Maryland is no different than deep south states like Alabama and Louisiana who use these practices to uphold white supremacy.

Using incarceration status to control who can and can't vote has been carried out in America for over 150 years, and it has had one purpose: to reduce votes cast by African Americans and other non-white citizens, usually men. Because of this practice, only certain demographics of society are historically elected to legislatures, giving them disproportionate influence in creating the laws and policies governing society. This results in a government that serves some people as opposed to all people.

America is going through a moral and historic reckoning. Now is the time to acknowledge past harm and make substantial changes to create a society that works for all people, including those who have found themselves in jail. Incarcerated persons must be given access to the ballot and Maryland should be a leading example on righting this decades old wrong. We ask that you find SB0224 favorable and move it to the senate floor this session.

Represent Maryland is a grassroots anti-corruption group of citizen advocates that #FightForDemocracy in Maryland. Our democracy solutions include: Public Election Funds, Independent Redistricting, Special Elections, Ranked Choice Voting, Increased Ethics and Transparency, and Increased Voter Participation. Learn more about our work at www.RepresentMaryland.org
Authorized by Represent Maryland PAC, T Miler, Treasurer

SB0224_FAV_JOTF.pdf

Uploaded by: Dews, Christopher

Position: FAV



TESTIMONY IN SUPPORT OF SB0224:

Election Law – Correctional Facilities – Voter Registration and Voting

TO: Hon. Paul Pinsky, Chair, and Members of the Education, Health and Environmental Affairs Committee

FROM: Christopher Dews, Policy Advocate

DATE: February 4th, 2021

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 strongly support Senate Bill 224 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 has 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 will now have to provide each individual released from a correctional facility with a voter registration application, inform 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.

JOTF JOB OPPORTUNITIES TASK FORCE

Advocating better skills, jobs, and incomes

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 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.

Senate Bill 224 would solve a blight of voter suppression in the State of Maryland by ensuring that a large swath of Maryland's voting populace doesn't go unheard. This legislation is, indeed, a necessary step to improve the electoral process in this wonderful state and will set a strong democratic precedent for the others. For these reasons, we urge a favorable report of Senate Bill 224.

SB 224 - Value my Vote Act Esposito 2.2.21.pdf

Uploaded by: Esposito, Lindsay

Position: FAV

Dear Members of the Education, Health, and
Environmental Affairs Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of white folks working as part of a multi-racial movement for equity and racial justice in Baltimore City and Baltimore County. We are also working in collaboration with Out for Justice. I am a resident of MD 45. I'm proud to have been a resident of Baltimore City since 2008 and a homeowner and voter in the Greenmount West neighborhood for the last 8 years. I am testifying **in support of Senate Bill 224**, the Value My Vote Act.



Senate Bill 224 would require the Department of Public Safety and Correctional Services to provide each person released from a correctional facility with a voter registration application and documentation informing them that their voting rights have been restored. It also requires the State Board of Elections to adopt certain regulations establishing a program to inform eligible voters incarcerated in correctional facilities of upcoming elections and how to exercise the right to vote.

Maryland is one of 16 states that automatically restores the voting rights of people with felony convictions upon their release from incarceration. This means that even if someone is on parole or probation, or they have completed their sentence, they are eligible to vote in the state of Maryland. Many people who are incarcerated and awaiting pre-trial are also eligible to vote and those incarcerated on misdemeanor convictions can vote while incarcerated as well.

Automatically restoring voting rights does not mean automatic voter registration. Although most Marylanders benefit from automatic voter registration when they interact with government agencies like the MVA or the Maryland Health Benefit Exchange, there is still confusion among released felons about their rights.

It is important that those who are so affected by policy and legislation have a voice in our elections. Everyone who has the right to vote should be informed of that right and have an attainable path to secure that right.

It is for these reasons that I am encouraging you to vote **in support of Senate Bill 224**.

Thank you for your time, service, and consideration.

Sincerely,
Lindsay Esposito
434 E Oliver, Baltimore, MD 21202
Showing Up for Racial Justice Baltimore

SB 224 - Value my Vote Act.pdf

Uploaded by: Fertig, Benjamin

Position: FAV

Dear Members of the Education, Health, and
Environmental Affairs Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of white folks working as part of a multi-racial movement for equity and racial justice in Baltimore City and Baltimore County. We are also working in collaboration with Out for Justice. I am a resident of MD District **11**. I am testifying **in support of Senate Bill 224**, the Value My Vote Act.



Senate Bill 224 would require the Department of Public Safety and Correctional Services to provide each person released from a correctional facility with a voter registration application and documentation informing them that their voting rights have been restored. It also requires the State Board of Elections to adopt certain regulations establishing a program to inform eligible voters incarcerated in correctional facilities of upcoming elections and how to exercise the right to vote.

Maryland is one of 16 states that automatically restores the voting rights of people with felony convictions upon their release from incarceration. This means that even if someone is on parole or probation, or they have completed their sentence, they are eligible to vote in the state of Maryland. Many people who are incarcerated and awaiting pre-trial are also eligible to vote and those incarcerated on misdemeanor convictions can vote while incarcerated as well.

Automatically restoring voting rights does not mean automatic voter registration. Although most Marylanders benefit from automatic voter registration when they interact with government agencies like the MVA or the Maryland Health Benefit Exchange, there is still confusion among released felons about their rights.

It is important that those who are so affected by policy and legislation have a voice in our elections. Everyone who has the right to vote should be informed of that right and have an attainable path to secure that right.

It is for these reasons that I am encouraging you to vote **in support of Senate Bill 224**.

Thank you for your time, service, and consideration.

Sincerely,

Benjamin Fertig

2722 Quarry Heights Way, Baltimore, MD 21209

Showing Up for Racial Justice Baltimore

SB 224 - Value my Vote Act BH.pdf

Uploaded by: Hauck, Barbara

Position: FAV

Dear Members of the Education, Health, and
Environmental Affairs Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of white folks working as part of a multi-racial movement for equity and racial justice in Baltimore City and Baltimore County. We are also working in collaboration with Out for Justice. I am a resident of MD District 43. I am also a longtime member of Baltimore's vibrant theatre community, and the Artistic Director of the Fells Point Corner Theatre. I am testifying **in support of Senate Bill 224**, the Value My Vote Act.



Senate Bill 224 would require the Department of Public Safety and Correctional Services to provide each person released from a correctional facility with a voter registration application and documentation informing them that their voting rights have been restored. It also requires the State Board of Elections to adopt certain regulations establishing a program to inform eligible voters incarcerated in correctional facilities of upcoming elections and how to exercise the right to vote.

Maryland is one of 16 states that automatically restores the voting rights of people with felony convictions upon their release from incarceration. Even if someone is on parole or probation, or they have completed their sentence, they are eligible to vote in the state of Maryland. Many people who are incarcerated and awaiting pre-trial are also eligible to vote, and those incarcerated on misdemeanor convictions can vote while incarcerated as well.

These measures are good! But automatically restoring voting rights does not mean automatic voter registration. Although most Marylanders benefit from automatic voter registration when they interact with government agencies like the MVA or the Maryland Health Benefit Exchange, there is still confusion among released felons about their voting rights.

Everyone who has the right to vote should be informed of that right and have an attainable path to secure that right. And it is especially important that people who have been greatly impacted by policy and legislation have a voice in our elections.

It is for these reasons that I am encouraging you to vote **in support of Senate Bill 224**.

Thank you for your time, service, and consideration.

Sincerely,
Barbara Hauck (she/her)
3420 Harford Road
Baltimore, MD 21218
Showing Up for Racial Justice Baltimore

SB 224 - Value my Vote Act.pdf

Uploaded by: Keipper, Lindsay

Position: FAV

Dear Members of the Education, Health, and
Environmental Affairs Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of white folks working as part of a multi-racial movement for equity and racial justice in Baltimore City and Baltimore County. We are also working in collaboration with Out for Justice. I am a resident of MD District 46. My name is Lindsay Keipper, and I am an attorney who has been living and working in Baltimore for 15 years. I am testifying in **support of Senate Bill 224**, the Value My Vote Act.



Senate Bill 224 would require the Department of Public Safety and Correctional Services to provide each person released from a correctional facility with a voter registration application and documentation informing them that their voting rights have been restored. It also requires the State Board of Elections to adopt certain regulations establishing a program to inform eligible voters (who have not yet been convicted of a crime, or are in jail for misdemeanors) incarcerated in correctional facilities of upcoming elections and how to exercise the right to vote.

Maryland recognized in its 2007 restoration of voting rights that persons convicted of felonies should not be subject to a lifetime voting ban; in 2016 we took another important step forward by restoring the right to vote upon release from jail, rather the conclusion of parole and probation. However, restoring voting rights doesn't mean automatic voter registration, and people who have been in prison may not have access to or benefit from other agencies like the MVA that routinely register voters and inform them of their rights. In addition, a lot of confusion exists among persons in jail before and after conviction as to when they lose the right to vote and when it is restored.

Today, as we become even more acutely aware of the disproportionate impact of the criminal justice system on communities of color, it is incumbent on us to fulfil the promise of the 2007 and 2016 legislation by making sure people interacting with DPSCS not only have a right to vote, but are informed about that right and given the tools to exercise it. Merely giving a voter application to an inmate who knows to ask is not enough.

It is for these reasons that I am encouraging you to vote **in support of Senate Bill 224**.

Thank you for your time, service, and consideration.

Sincerely,
Lindsay Keipper
2425 Fleet St.
Baltimore, MD 21224
Showing Up for Racial Justice Baltimore

SB 224 - Value my Vote Act.pdf

Uploaded by: McDonald, Ericka

Position: FAV

Dear Members of the Education, Health, and
Environmental Affairs Committee,

This testimony is being submitted by Showing Up for
Racial Justice Baltimore, a group of white folks working as
part of a multi-racial movement for equity and racial
justice in Baltimore City and Baltimore County. We are
also working in collaboration with Out for Justice. I am a
resident of MD District 12. I am also on the board of
directors of the League of Women Voters, Baltimore
County. I am testifying **in support of Senate Bill 224**, the Value My Vote Act.



Senate Bill 224 would require the Department of Public Safety and Correctional Services to provide each person released from a correctional facility with a voter registration application and documentation informing them that their voting rights have been restored. It also requires the State Board of Elections to adopt certain regulations establishing a program to inform eligible voters incarcerated in correctional facilities of upcoming elections and how to exercise the right to vote.

Maryland is one of 16 states that automatically restores the voting rights of people with felony convictions upon their release from incarceration. This means that even if someone is on parole or probation, or they have completed their sentence, they are eligible to vote in the state of Maryland. Many people who are incarcerated and awaiting pre-trial are also eligible to vote and those incarcerated on misdemeanor convictions can vote while incarcerated as well.

Automatically restoring voting rights does not mean automatic voter registration. Although most Marylanders benefit from automatic voter registration when they interact with government agencies like the MVA or the Maryland Health Benefit Exchange, there is still confusion among released felons about their rights.

It is important that those who are so affected by policy and legislation have a voice in our elections. Everyone who has the right to vote should be informed of that right and have an attainable path to secure that right.

It is for these reasons that I am encouraging you to vote **in support of Senate Bill 224**.

Thank you for your time, service, and consideration.

Sincerely,

Ericka McDonald
418 Harwood Rd.
Catonsville, MD 21228
Showing Up for Racial Justice Baltimore

LWVMD testimony - SB 224 - Election Law – Correcti

Uploaded by: Millenson, Janet

Position: FAV



TESTIMONY TO THE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE

SB 224 Election Law – Correctional Facilities – Voter Registration and Voting

POSITION: Favorable

BY: Lois Hybl and Richard Willson – Co-Presidents

DATE: February 4, 2021

The League of Women Voters of Maryland believes our election system should be representative, feasible to implement, and increase voter participation. We supported legislation that in 2016 restored voting rights to felons who have served their sentences and to non-felons who are currently incarcerated. However, further action is needed to guarantee that these citizens are fully enfranchised. The measures in SB 224 provide a means to this end.

Prisoners generally do not have convenient access to the necessary forms and instructions to register to vote or apply for a mail-in ballot; neither do they have an easy way to obtain detailed information about candidates or ballot questions. Because voter education is one of the League's foundational principles, for the 2020 General Election we spent considerable time and energy working to get our nonpartisan Voters' Guides delivered to eligible voters behind bars.

However, volunteer efforts to register and inform these citizens can only go so far. SB 224 requires correctional facilities to provide specific information, instructions, and assistance in a timely manner in cooperation with the State Board of Elections and local boards.

Voting makes people feel they have a stake in their community. Helping eligible incarcerated and recently released Marylanders exercise their voting rights will show that their community has a stake in them, too.

The League of Women Voters of Maryland supports the passage of SB 224.

SB 224 testimony FAV_Council President Nick J. Mos

Uploaded by: Mosby, Baltimore City Council President Nick J.

Position: FAV



Nick J. Mosby, *President*
Baltimore City Council

100 N. Holliday Street, Room 400 • Baltimore, Maryland 21202
(410) 396-4804 • Fax: (410) 539-0647

February 4, 2021

To: **Members of the Senate Education, Health, & Environmental
Affairs Committee
Members of the Senate Judicial Proceedings Committee**

Re: **SB 224 - Election Law – Correctional Facilities – Voter
Registration and Voting**

Position: **FAVORABLE**

Chair Pinsky, Chair Smith and Honorable Members,

I am writing to express my **support** for Senate Bill 224, Election Law – Correctional Facilities – Voter Registration and Voting. The bill makes several overdue changes to our election administration processes to ensure that Maryland residents who are involved in the criminal justice system but are eligible to vote have the ability to do so as well as knowledge of their rights. I was proud to sponsor similar legislation in the House of Delegates during the 2020 session that passed through the House chamber overwhelmingly.

SB 224 requires the Department of Public Safety and Correctional Services (DPSCS) to inform individuals who are no longer incarcerated that they have the right to vote, and to provide individuals released from DPSCS custody a voter registration form. It further directs the State Board of Elections develop and implement a program so that individuals who are in custody but eligible to vote may register and cast their ballots. As I testified last year, this would extend ballot access to approximately 9,000 individuals in pretrial detention and 15,000 incarcerated persons across the state of Maryland. This bill helps those currently and recently incarcerated maintain connections to their communities and it gives effect to a decision the General Assembly made in 2015 to expand voting rights.

I want to thank Senator West for his willingness to reach across the aisle and once again introduce this very important piece of legislation. I also want to thank the members of this committee for their attention to this bill and respectfully ask for a **favorable** report on Senate Bill 224.

Sincerely,

Nick J. Mosby
President, Baltimore City Council

SB0224 Value My Vote MD Testimony.pdf

Uploaded by: Paikowsky, Dana

Position: FAV

February 2, 2021

Testimony in Support of SB0224: Value My Vote Bill.

Good afternoon. My name is Dana Paikowsky, and I am testifying today in support SB0224.

I am a voting rights lawyer and Equal Justice Works Fellow at the Campaign Legal Center (“CLC”) where my practice focuses primarily on ballot access issues in jails. I work with policymakers and state and local advocates every day, supporting their efforts to combat jail-based disenfranchisement across the country. I have both served as counsel on cases about jail-based disenfranchisement and published legal scholarship on this topic in the Harvard Civil Rights-Civil Liberties Law Review.

Because I am a lawyer, I want to start with some legal background. In 1974, in *O’Brien v. Skinner*, the Supreme Court affirmed that states cannot deny eligible voters access to the ballot simply because they are in jail. This precedent remains binding today. The right to vote from jail, then, should be well-established in our constitutional law.

Despite that fact, voting from jail remains incredibly difficult for the over 11,000 people incarcerated on a daily basis in Maryland jails and 750,000 people jailed across the country.

Lack of access to information, and the prevalence of misinformation, is a major barrier to voting in jails. Jailed voters often do not know they are eligible to vote or how to cast a ballot while incarcerated. Because jailed voters are barred from accessing the internet, have restricted access to phones, visitation, and commissary—necessary for procuring envelopes and stamps—and often must rely on delay-prone jail mail systems, finding answers to these questions and obtaining and submitting absentee ballot request forms and ballots in a timely manner can be prohibitively difficult.

Moreover, unfortunately those who are responsible for administering elections in jails—the local election officials and jail staff who must assist jailed voters who hope to cast ballots—often do not realize that people in jail are eligible to vote or know the process by which jailed voters can cast ballots. When these officials make mistakes or are unprepared to serve jailed voters, the voters have no other recourse; they face certain disenfranchisement. Especially for those incarcerated close to Election Day, there is little room for error.

Maryland took historic steps this year to address these issues in a systematic way through a statewide effort to provide assistance to incarcerated eligible voters and build crucial election infrastructure in jails. HB0222 would solidify Maryland’s position as a leader in this space by making these efforts permanent.

Not only does it empower jailed voters by providing them with information they need to vote, it also ensures that the state and local officials tasked with facilitating voting in jails are well-informed of the rights of jailed voters and their role in providing ballot access. Moreover, it ensures that jails have the infrastructure to provide jailed voters with ready access to the ballot and removes the often prohibitive barriers of requiring jailed voters to individually request information, obtain the necessary forms, purchase stamps and envelopes, and take the other steps otherwise necessary to vote.

Essentially, it creates guardrails to ensure Maryland is not mistakenly or inadvertently depriving jailed voters of their constitutional right to vote.

In so doing, SB0224 will ensure Maryland’s democracy is inclusive and representative.

Jails disproportionately incarcerate a microcosm of historically marginalized voters—people of color, low income people, people with disabilities, and people struggling with homelessness. SB0224 moves us forward by making voting more available and accessible to those who have been excluded for too long.

SB0224 is good policy, ensuring democratic accountability and fostering democratic participation.

Elected officials make decisions every day that impact jailed voters: legislators make the laws that jailed voters are charged with breaking, district attorneys prosecute them, state judges adjudicate their cases, and sheriffs police them on the streets and run the jails in which they are incarcerated. Jailed voters' exposure to the criminal justice system makes them uniquely qualified to evaluate these officials; their participation is crucial if the ballot box is truly to be a site of democratic accountability.

And even brief periods of incarceration in jails lead to many of the same collateral consequences as incarceration in prisons—including increased risks of loss of employment, custody of children, and housing, negative mental and physical health impacts, and decreased likelihood of future political participation. There is evidence that voting can have mitigating effect on at least some of these collateral consequences by giving incarcerated voters a sense of power, agency, and connection to their community. Indeed, among those who have been convicted of felonies, political participation decreases the likelihood of recidivism.

For all of these reasons, I urge you all to approve SB0224.

Every election, Maryland incarcerates thousands of eligible voters—depriving them of their liberty and making voting difficult or impossible; the time has come for the State to give these eligible voters the infrastructure they need to exercise their fundamental right to vote.

SB 224 - Value my Vote Act.pdf

Uploaded by: Rehr, Nathan

Position: FAV

Dear Members of the Education, Health, and
Environmental Affairs Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of white folks working as part of a multi-racial movement for equity and racial justice in Baltimore City and Baltimore County. We are also working in collaboration with Out for Justice. I am a resident of MD District **45**. I am an active member of my community association and a health professional who is interested in eliminating the health disparities that occur with racial discrimination in our society. I am testifying **in support of Senate Bill 224**, the Value My Vote Act.



Senate Bill 224 would require the Department of Public Safety and Correctional Services to provide each person released from a correctional facility with a voter registration application and documentation informing them that their voting rights have been restored. It also requires the State Board of Elections to adopt certain regulations establishing a program to inform eligible voters incarcerated in correctional facilities of upcoming elections and how to exercise the right to vote.

Maryland is one of 16 states that automatically restores the voting rights of people with felony convictions upon their release from incarceration. This means that even if someone is on parole or probation, or they have completed their sentence, they are eligible to vote in the state of Maryland. Many people who are incarcerated and awaiting pre-trial are also eligible to vote and those incarcerated on misdemeanor convictions can vote while incarcerated as well.

Automatically restoring voting rights does not mean automatic voter registration. Although most Marylanders benefit from automatic voter registration when they interact with government agencies like the MVA or the Maryland Health Benefit Exchange, there is still confusion among released felons about their rights.

It is important that those who are so affected by policy and legislation have a voice in our elections. Everyone who has the right to vote should be informed of that right and have an attainable path to secure that right.

It is for these reasons that I am encouraging you to vote **in support of Senate Bill 224**.

Thank you for your time, service, and consideration.

Sincerely,
Nathan Rehr
450 E. Federal Street Baltimore, MD 21202
Showing Up for Racial Justice Baltimore

NCADD-MD - SB 224 FAV - Voter Registration and Vot

Uploaded by: Rosen-Cohen, Nancy

Position: FAV



**Senate Education, Health & Environmental Affairs Committee
February 4, 2021**

**Senate Bill 224
Election Law – Correctional Facilities – Voter Registration and Voting
Support**

NCADD-Maryland supports Senate Bill 224. NCADD-Maryland has long advocated for policies that help people involved with the criminal justice system avoid some of the collateral damage caused by our drug policies. Our work has included fighting for the restoration of people's right to vote. SB 224 will improve education efforts when it comes to ensuring people who are released from jails and prisons and those on parole and probation know their rights.

This bill will also ensure that people who are incarcerated who are eligible to vote know they retain this constitutional right and have access to the ballot. Participation in our democratic system of government is one of our most cherished rights. The data show disenfranchisement laws have a disproportionate impact on people of color, and throughout U.S. history, have been intended to do so.

Supporting people who are not convicted of a crime to vote and educate people leaving correctional facilities about their rights will help address this impact and help those returning to their communities fully re-engage.

We urge your support of Senate Bill 224.

The Maryland Affiliate of the National Council on Alcoholism and Drug Dependence (NCADD-Maryland) is a statewide organization that works to influence public and private policies on addiction, treatment, and recovery, reduce the stigma associated with the disease, and improve the understanding of addictions and the recovery process. We advocate for and with individuals and families who are affected by alcoholism and drug addiction.

SB 224 - Value my Vote Act.docx.pdf

Uploaded by: Simmons, Christina

Position: FAV

Dear Members of the Education, Health, and
Environmental Affairs Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of white folks working as part of a multi-racial movement for equity and racial justice in Baltimore City and Baltimore County. We are also working in collaboration with Out for Justice. I am a resident of MD District 42B. I am a Towson University grad, and seeing as my education was supported by the exploited labor of inmates in MD, the least I could do is testify **in support of Senate Bill 224**, the Value My Vote Act.



Senate Bill 224 would require the Department of Public Safety and Correctional Services to provide each person released from a correctional facility with a voter registration application and documentation informing them that their voting rights have been restored. It also requires the State Board of Elections to adopt certain regulations establishing a program to inform eligible voters incarcerated in correctional facilities of upcoming elections and how to exercise the right to vote.

Maryland is one of 16 states that automatically restores the voting rights of people with felony convictions upon their release from incarceration. This means that even if someone is on parole or probation, or they have completed their sentence, they are eligible to vote in the state of Maryland. Many people who are incarcerated and awaiting pre-trial are also eligible to vote and those incarcerated on misdemeanor convictions can vote while incarcerated as well.

Automatically restoring voting rights does not mean automatic voter registration. Although most Marylanders benefit from automatic voter registration when they interact with government agencies like the MVA or the Maryland Health Benefit Exchange, there is still confusion among released felons about their rights.

It is important that those who are so affected by policy and legislation have a voice in our elections. Everyone who has the right to vote should be informed of that right and have an attainable path to secure that right.

It is for these reasons that I am encouraging you to vote **in support of Senate Bill 224**.

Thank you for your time, service, and consideration.

Sincerely,
Christina Simmons
304 Stevenson Lane, APT B8
Towson, MD 21204
Showing Up for Racial Justice Baltimore

SB 224 - Value My Vote Act.pdf

Uploaded by: Smeton, Jonathan

Position: FAV

Dear Members of the Education, Health, and
Environmental Affairs Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of white folks working as part of a multi-racial movement for equity and racial justice in Baltimore City and Baltimore County. We are also working in collaboration with Out for Justice. I am a resident of MD District 43. I am testifying **in support of Senate Bill 224**, the Value My Vote Act.



Senate Bill 224 would require the Department of Public Safety and Correctional Services to provide each person released from a correctional facility with a voter registration application and documentation informing them that their voting rights have been restored. It also requires the State Board of Elections to adopt certain regulations establishing a program to inform eligible voters incarcerated in correctional facilities of upcoming elections and how to exercise the right to vote.

Maryland is one of 16 states that automatically restores the voting rights of people with felony convictions upon their release from incarceration. This means that even if someone is on parole or probation, or they have completed their sentence, they are eligible to vote in the state of Maryland. Many people who are incarcerated and awaiting pre-trial are also eligible to vote and those incarcerated on misdemeanor convictions can vote while incarcerated as well.

Automatically restoring voting rights does not mean automatic voter registration. Although most Marylanders benefit from automatic voter registration when they interact with government agencies like the MVA or the Maryland Health Benefit Exchange, there is still confusion among released felons about their rights.

It is important that those who are so affected by policy and legislation have a voice in our elections. Everyone who has the right to vote should be informed of that right and have an attainable path to secure that right.

It is for these reasons that I am encouraging you to vote **in support of Senate Bill 224**.

Thank you for your time, service, and consideration.

Sincerely,
Jonathan Smeton
3140 Ellerslie Avenue, Baltimore, MD 21218
Showing Up for Racial Justice Baltimore

Testimony-SB224-Election Law – Correctional Facili

Uploaded by: Stevenson, Christopher

Position: FAV



Testimony on SB0224
Election Law – Correctional Facilities – Voter Registration and Voting
Position: FAVORABLE

Dear Mr. Chair and Members of the Education, Health, and Environmental Affairs Committee,

My name is Ricarra Jones, and I am the Political Director with 1199SEIU- the largest healthcare union in the nation, where we represent over 10,000 healthcare workers in Maryland. Given the low voter turnout among formerly incarcerated individuals, a majority of whom are minorities, we are supportive of SB0224- Election Law – Correctional Facilities – Voter Registration and Voting Act of 2021.

Deep inequities exist in the modern criminal justice system. According to the Prison Policy Initiative, white, Latino and Asian populations are underrepresented in Maryland's incarcerated population, whereas Black populations are overly incarcerated. Although Black people account for 29% of the state's population, they make up 68% of prison and jail inmates and moreover, Blacks are incarcerated at more than five times the rate of whites. And this bias is not only geared toward Black men but Black women as well. According to the NAACP, the imprisonment rate for African American women is twice that of white women.

When and if these groups are released, they are subjected to several challenges, such as finding work and housing. The basic right to vote should not be among these challenges. Confusing policies have left many formerly incarcerated individuals under the false assumption that they cannot vote. Since Blacks represent most of the Maryland's prison population, these policies decrease Black voter turnout. This Act will provide the formerly incarcerated with the knowledge they need to vote and have their voices heard.

For 1199SEIU members- a majority of whom are minorities- this Act is vital for the well-being of their communities. Not only would this Act increase voter turnout among our members' neighborhoods, but this Act would also be a step closer towards equity when it comes to minority representation on key issues and political candidates.

For this reason, we believe that this Act will create the necessary structure in place to provide previously incarcerated Marylanders with the knowledge they need to cast a vote and ask that you support SB224.

Respectfully,

Ricarra Jones
Maryland/DC Political Director
1199SEIU United Healthcare Workers- East
Cell: [443-844-6513](tel:443-844-6513)

SB224 - Elections-Correctional Facilities - EHEA -

Uploaded by: Tulkin, Josh

Position: FAV



7338 Baltimore Ave
Suite 102
College Park, MD 20740

Committees: Education, Health, and Environmental Affairs, and Judicial Proceedings
Testimony on: SB 224 “Election Law – Correctional Facilities – Voter Registration and Voting”
Position: Favorable
Hearing Date: February 4, 2021

The Maryland Sierra Club urges a favorable report on SB 224, a bill that would improve access to registration and voting, and to information about registration and voting, for eligible individuals incarcerated in a correctional facility or being released from a correctional facility.

The Sierra Club and its members care about both the natural and human environments, including ending racial and social injustice. We believe that providing information about and access to registration and voting to all who are eligible should be viewed as fundamental to our democracy.

The state and local boards of elections have for years made special efforts to provide access to registration and voting for residents of nursing homes and other residential facilities for senior citizens, but do not have similar organized efforts for residents of other self-contained facilities such as correctional facilities.

Many individuals who are resident in a correctional facility are in fact eligible to vote, including large numbers who are awaiting trial or convicted of only a misdemeanor. Because mobility of those individuals is restricted, boards of elections need to make special effort as would be required by this bill to allow those individuals a fair opportunity to register and vote.

Individuals being released from a correctional facility may encounter confusion or misinformation about their right to register and vote, partly because of news or social media posts about laws in other states that are different from the laws in Maryland. To avoid any confusion and to inform individuals being released about their right to vote under Maryland law, it is important to provide them with the application and documentation that would be required by this bill.

Voting is the foundation of our democracy, and we believe it is essential to racial and social justice to guarantee access to registration and voting to every individual who is eligible.

We urge a favorable report on SB 224.

Rich Norling
Chair, Political Committee
Rich.Norling@MDSierra.org

Josh Tulkin
Chapter Director
Josh.Tulkin@MDSierra.org

Founded in 1892, the Sierra Club is America’s oldest and largest grassroots environmental organization. The Maryland Chapter has over 70,000 members and supporters, and the Sierra Club nationwide has approximately 800,000 members.

Senator West - SB 224 Election Law Correctional

Uploaded by: West, Christopher

Position: FAV

CHRIS WEST
Legislative District 42
Baltimore County

Judicial Proceedings Committee

Vice Chair, Baltimore County
Senate Delegation



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

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February 4, 2021

Senate Education, Health and Environmental Affairs Committee
The Honorable Paul G. Pinsky
2 West Miller Senate Building
Annapolis, Maryland 21401-1991

RE: SB 224 – Election Law – Correctional Facilities – Voter Registration and Voting

Dear Chairman Pinsky and Members of the Committee:

Of course, in Maryland, incarcerated felons are not entitled to vote. During my first year in the House of Delegates, however, we passed legislation providing that upon their release from jail, whether due to the end of their sentence or due to their being released on probation, felons would be entitled to vote. All people incarcerated in Maryland are not felons. Some are being held pending trial. Many have been convicted of misdemeanors and sentenced to jail. These incarcerated individuals have not lost their right to vote, but their situation behind bars makes it hard for them to exercise their right to vote.

Senate Bill 224 provides that, with respect to incarcerated felons, each parole and probation office must post a sign to the effect that individuals who are no longer incarcerated have the right to vote. Similar information must be posted on the website of the Department of Corrections. Further, a felon being released from jail must be provided with a voter registration application and a document notifying the person that the person's voting rights have been restored.

With respect to people being held in jail who are not felons, Senate Bill 224 contains several requirements. These individuals must be informed of upcoming elections and of their eligibility to vote. They must be provided with voter registration applications, absentee ballot applications and absentee ballots, all in a timely manner. They must be afforded a drop box where they can drop off their ballots. The bill contains additional logistical requirements.

There is a proposed amendment which primarily deals with the logistics. It also creates the position of "Voting Rights Ombudsman for Incarcerated Individuals" and charges that person with overseeing the implementation of this bill.

Frankly, the requirements of this bill are so simple and so easily complied with that I don't understand why the fiscal note states that in both election years and non-election years, this bill will cost the State around \$170,000 a year. Further, I'm not sure what the ombudsman will do in non-election years. I leave it to the Committee to consider those points.

I urge the Committee to give this bill a favorable report and would be please to take any questions.

SB0224/243323/1

BY: Senator West

(To be offered in the Education, Health, and Environmental
Affairs Committee and the Judicial Proceedings Committee)

AMENDMENTS TO SENATE BILL 224

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “**Value My Vote Act**”; in line 7, after “website,” insert “requiring correctional facilities to display certain signs in certain areas; requiring correctional facilities to provide a certain area in which election-related mail may be dropped off by incarcerated individuals and to mail and distribute certain mail within a certain period of time; requiring correctional facilities to provide a certain drop box that is monitored in a certain manner and accessible to election officials; requiring correctional officials to allow incarcerated individuals to complete election materials in a certain manner in a certain area and forward certain mail if an individual has been released from incarceration; requiring correctional facilities to designate an employee who will be trained by the State Board of Elections and who will be responsible for the implementation of certain provisions of this Act; requiring each correctional facility to cooperate fully with the State Board and the local boards of election in implementing certain requirements;”; in the same line, strike “of Elections”; in line 12, strike the second “and”; in line 13, after “ballots” insert “, provide staff of correctional facilities with certain training, develop certain signs in conjunction with the Office of the Attorney General, and pick up certain materials on a certain basis”; in line 16, after “Assembly,” insert “establishing a Voting Rights Ombudsman for Incarcerated Individuals; providing for the appointment and removal of the Ombudsman; requiring the Ombudsman to perform certain functions; requiring the Ombudsman to have access to certain areas within correctional facilities, except under certain circumstances; requiring the Ombudsman to submit a certain report to the State Board each year; requiring the State Board to provide a certain voter hotline for incarcerated individuals; requiring the State Board and the local boards to adopt certain regulations in collaboration with the Department;”; in line 21, after “2-501” insert “and”

(Over)

2-502 to be under the new subtitle “Subtitle 5. Voting Rights of Incarcerated and Released Individuals”; and in line 26, after “1-303.1” insert “through 1-303.3”.

AMENDMENT NO. 2

On page 2, after line 8, insert:

**“SUBTITLE 5. VOTING RIGHTS OF INCARCERATED AND RELEASED
INDIVIDUALS.”;**

and after line 21, insert:

“2-502.

(A) EACH CORRECTIONAL FACILITY SHALL:

**(1) DISPLAY SIGNS DEVELOPED BY THE STATE BOARD OF
ELECTIONS UNDER § 1-303.1 OF THE ELECTION LAW ARTICLE IN ALL AREAS
WHERE INDIVIDUALS ARE PROCESSED DURING INTAKE OR FOR RELEASE;**

**(2) (I) PROVIDE A SECURE, DESIGNATED AREA IN WHICH
ELECTION-RELATED MAIL MAY BE DROPPED OFF BY INCARCERATED
INDIVIDUALS; AND**

**(II) MAIL TO THE APPROPRIATE BOARD OF ELECTIONS AND
DISTRIBUTE TO INCARCERATED INDIVIDUALS ELECTION-RELATED MAIL WITHIN
2 DAYS AFTER RECEIPT;**

**(3) PROVIDE A SECURE, DESIGNATED DROP BOX THAT IS
MONITORED 24 HOURS A DAY AND 7 DAYS A WEEK AND EASILY ACCESSIBLE TO
ELECTION OFFICIALS IN WHICH THE EMPLOYEE DESIGNATED UNDER ITEM (6) OF**

THIS SUBSECTION IS REQUIRED TO PLACE COMPLETED ELECTION MATERIALS SUBMITTED TO THE EMPLOYEE BY INCARCERATED INDIVIDUALS;

(4) ALLOW INCARCERATED INDIVIDUALS TO TIMELY COMPLETE ELECTION MATERIALS IN THE VISITING ROOM OR AN EQUIVALENT DESIGNATED AREA;

(5) IF AN INDIVIDUAL HAS BEEN RELEASED FROM INCARCERATION, TIMELY FORWARD ELECTION-RELATED MAIL TO THE CURRENT RESIDENCE OF THE INDIVIDUAL; AND

(6) DESIGNATE AN EMPLOYEE WHO WILL BE TRAINED BY THE STATE BOARD OF ELECTIONS AND WHO WILL BE RESPONSIBLE FOR THE IMPLEMENTATION OF THIS SUBSECTION.

(B) EACH CORRECTIONAL FACILITY SHALL COOPERATE FULLY WITH THE STATE BOARD OF ELECTIONS AND THE LOCAL BOARD OF ELECTIONS IN IMPLEMENTING THIS SECTION.”.

On page 3, in line 9, after “VOTERS” insert “EVERY 5 BUSINESS DAYS BEGINNING”; in line 10, strike “30” and substitute “60”; in line 16, strike the second “AND”; and in line 19, after “VOTERS” insert “;

(5) PROVIDE STAFF OF CORRECTIONAL FACILITIES WITH TRAINING NECESSARY TO IMPLEMENT § 2-502 OF THE CORRECTIONAL SERVICES ARTICLE;

(6) IN CONJUNCTION WITH THE OFFICE OF THE ATTORNEY GENERAL, DEVELOP SIGNS TO BE DISPLAYED IN ACCORDANCE WITH § 2-502(A)(1) OF THE CORRECTIONAL SERVICES ARTICLE; AND

(Over)

(7) PICK UP ON A REGULAR BASIS ELECTION-RELATED MATERIALS THAT HAVE BEEN PLACED IN A DROP BOX UNDER § 2-502(A)(3) OF THE CORRECTIONAL SERVICES ARTICLE.

On page 4, in line 6, strike “AND”; in line 8, after “ARTICLE” insert “; AND”

(5) A DESCRIPTION OF ANY VIOLATIONS OF THIS SECTION OR VIOLATIONS OF TITLE 2, SUBTITLE 5 OF THE CORRECTIONAL SERVICES ARTICLE THAT WERE REPORTED BY THE VOTING RIGHTS OMBUDSMAN FOR INCARCERATED INDIVIDUALS UNDER § 1-303.2(F) OF THIS SUBTITLE”;

and after line 8, insert:

“1-303.2.

(A) IN THIS SECTION, “OMBUDSMAN” MEANS THE VOTING RIGHTS OMBUDSMAN FOR INCARCERATED INDIVIDUALS.

(B) THERE IS A VOTING RIGHTS OMBUDSMAN FOR INCARCERATED INDIVIDUALS.

(C) (1) THE STATE ADMINISTRATOR FOR THE STATE BOARD SHALL APPOINT THE OMBUDSMAN.

(2) THE OMBUDSMAN MAY BE REMOVED FROM OFFICE BY THE STATE ADMINISTRATOR AFTER A FINDING OF INCOMPETENCY OR OTHER GOOD CAUSE.

(D) THE OMBUDSMAN SHALL OVERSEE THE IMPLEMENTATION OF §§ 1-303.1 AND 1-303.3 OF THIS SUBTITLE AND TITLE 2, SUBTITLE 5 OF THE CORRECTIONAL SERVICES ARTICLE.

(E) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE OMBUDSMAN SHALL HAVE ACCESS TO ALL AREAS WITHIN CORRECTIONAL FACILITIES AS NECESSARY TO CARRY OUT THE DUTIES SET FORTH IN THIS SECTION.

(2) THE STATE BOARD AND THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES MAY LIMIT ACCESS TO AREAS WITHIN CORRECTIONAL FACILITIES WHEN RESTRICTIONS ARE REQUIRED FOR THE HEALTH AND SAFETY OF THE OMBUDSMAN.

(F) ON OR BEFORE JANUARY 1 EACH YEAR, THE OMBUDSMAN SHALL SUBMIT A WRITTEN REPORT TO THE STATE BOARD ON FIRST-TIME AND REPEAT VIOLATIONS OF § 1-303.1 OF THIS SUBTITLE AND TITLE 2, SUBTITLE 5 OF THE CORRECTIONAL SERVICES ARTICLE.

1-303.3.

(A) THE STATE BOARD SHALL PROVIDE A TOLL-FREE VOTER HOTLINE FOR INCARCERATED INDIVIDUALS TO RECEIVE INFORMATION ABOUT VOTING, REQUEST VOTING MATERIALS, AND REPORT VOTING RIGHTS VIOLATIONS.

(B) THE STATE BOARD SHALL ADOPT REGULATIONS IN COLLABORATION WITH THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES FOR THE ADMINISTRATION OF THE VOTER HOTLINE.”.

SB 224 - Value my Vote Act.docx.pdf

Uploaded by: Wilkins, Katherine

Position: FAV

Dear Members of the Education, Health, and
Environmental Affairs Committee,

This testimony is being submitted by Showing Up for
Racial Justice Baltimore, a group of white folks working
as part of a multi-racial movement for equity and racial
justice in Baltimore City and Baltimore County. We are
also working in collaboration with Out for Justice. I am a
resident of MD District **12**. I am testifying **in support of**
Senate Bill 224, the Value My Vote Act.



Senate Bill 224 would require the Department of Public Safety and Correctional Services to provide each person released from a correctional facility with a voter registration application and documentation informing them that their voting rights have been restored. It also requires the State Board of Elections to adopt certain regulations establishing a program to inform eligible voters incarcerated in correctional facilities of upcoming elections and how to exercise the right to vote.

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Maryland is one of 16 states that automatically restores the voting rights of people with felony convictions upon their release from incarceration. This means that even if someone is on parole or probation, or they have completed their sentence, they are eligible to vote in the state of Maryland. Many people who are incarcerated and awaiting pre-trial are also eligible to vote and those incarcerated on misdemeanor convictions can vote while incarcerated as well.

Automatically restoring voting rights does not mean automatic voter registration. Although most Marylanders benefit from automatic voter registration when they interact with government agencies like the MVA or the Maryland Health Benefit Exchange, there is still confusion among released felons about their rights.

It is important that those who are so affected by policy and legislation have a voice in our elections. Everyone who has the right to vote should be informed of that right and have an attainable path to secure that right.

It is for these reasons that I am encouraging you to vote **in support of Senate Bill 224**.

Thank you for your time, service, and consideration.

Sincerely,

Katherine Wilkins

10651 Gramercy Pl, Unit 257, Columbia, MD 21044

Showing Up for Racial Justice Baltimore

SB 224 - Value my Vote Act.pdf

Uploaded by: Yoder, Daryl

Position: FAV

Dear Members of the Education, Health, and
Environmental Affairs Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of white folks working as part of a multi-racial movement for equity and racial justice in Baltimore City and Baltimore County. We are also working in collaboration with Out for Justice. I am a resident of MD District 12. I am testifying **in support of Senate Bill 224**, the Value My Vote Act.



Senate Bill 224 would require the Department of Public Safety and Correctional Services to provide each person released from a correctional facility with a voter registration application and documentation informing them that their voting rights have been restored. It also requires the State Board of Elections to adopt certain regulations establishing a program to inform eligible voters incarcerated in correctional facilities of upcoming elections and how to exercise the right to vote.

Maryland is one of 16 states that automatically restores the voting rights of people with felony convictions upon their release from incarceration. This means that even if someone is on parole or probation, if they have completed their sentence, they are eligible to vote in the state of Maryland. Many people who are incarcerated and awaiting pre-trial are also eligible to vote and those incarcerated on misdemeanor convictions can vote while incarcerated as well.

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It is important that those who are so affected by policy and legislation have a voice in our elections. Everyone who has the right to vote should be informed of that right and have an attainable path to secure that right.

It is for these reasons that I am encouraging you to vote **in support of Senate Bill 224**.

Thank you for your time, service, and consideration.

Sincerely,
Daryl Yoder

309 Glenmore Ave.

Catonsville, MD 21228

Showing Up for Racial Justice Baltimore

DPSCS_SWA_SB224.pdf

Uploaded by: Kahl, Catherine

Position: FWA



Department of Public Safety and Correctional Services

Office of the Secretary Office of Government and Legislative Affairs

45 Calvert Street, Suite B7A-C, Annapolis MD 21401
410-260-6070 • Fax: 410-974-2586 • www.dpscs.state.md.us

STATE OF MARYLAND

LARRY HOGAN
GOVERNOR

BOYD K. RUTHERFORD
LT. GOVERNOR

ROBERT L. GREEN
SECRETARY

RACHEL SESSA
CHIEF OF STAFF

CHRISTOPHER McCULLY
DEPUTY SECRETARY
ADMINISTRATION

WAYNE HILL
ACTING
DEPUTY SECRETARY
OPERATIONS

CAROLYN J. SCRUGGS
ASSISTANT SECRETARY

GARY W. McLHINNEY
ASSISTANT SECRETARY

CATHERINE KAHL
ACTING DIRECTOR

BILL: SENATE BILL 224

POSITION: SUPPORT WITH AMENDMENTS

EXPLANATION: This bill will require the Department of Public Safety and Correctional Services (DPSCS) to provide each inmate, upon release, with a voter registration application and documentation that an inmate's right to vote has been restored, display voter notices in Parole and Probation offices, and on the Department's website. Additionally, it will require DPSCS to cooperate with the State Board of Elections with implementing a program to disseminate voter eligibility information to eligible inmates. DPSCS already has robust policies and procedures to enable the incarcerated population to register to vote and to provide those who are registered with a mail-in ballot.

COMMENTS:

- DPSCS's Division of Correction (DOC) operates 17 State correctional facilities that house offenders sentenced to a period of incarceration for 18 months and longer.
- DPSCS also runs the Baltimore City Pretrial Complex, which houses pretrial detainees and inmates sentenced to incarceration for 18 months and less. All other local jails in the State of Maryland are overseen by the counties. DPSCS's top priority is the safety and security of its inmates, employees, and the public.
- The Department is also tasked with operating the Division of Parole and Probation (DPP) which supervises individuals within the community who are either awaiting trial, ordered to serve time on probation or who have been paroled by the Maryland Parole Commission.
- SB 224 will require DPSCS to provide each released inmate with a voter registration application, and display Right to Vote notices in Parole and Probation offices and on DPSCS' website.
- DPSCS implemented a voting policy in September 2019 that outlines procedures for facilitating voting for eligible inmates

incarcerated in State correctional facilities as outlined on the following page.

- The Office of the Secretary generates a list indicating the names and locations of all individuals incarcerated in a DPSCS correctional facility who may be eligible to vote prior to each Primary and General Election.
 - That list is then distributed through the chain of command to the managing official of each correctional facility throughout DPSCS. An inmate who appears on the eligible inmate list or is an inmate who meets the eligibility criteria, but is not registered to vote, may request and receive from the Managing Official or designee, a Maryland Voter Registration Application.
 - Additionally, any inmate on the list or those who meet the eligibility criteria, upon request, will be provided a Maryland application for a mail in ballot. A managing official will ensure that all absentee ballots mailed via the U.S. Postal Service to an inmate at a correctional facility from the local board of elections are received and delivered in accordance with the procedures for distribution of legal mail.
- The policy also provides that notices are posted in inmate housing and recreation areas that advise inmates of the:
 - Voter eligibility requirements;
 - Right to request an absentee ballot or voter registration application; and
 - Deadlines for returning applications and absentee ballots to the local election board.
- Additionally, DPSCS provides voter information to inmates who are in 90 days of release, and inmates are provided a voter registration application, upon request.
- SB 224 will also require DPSCS to cooperate with the State Board of Elections (SBE) with implementing a program to disseminate information to the inmate population on upcoming elections, voter eligibility requirements and how to exercise their right to vote.

- The Department collaborated with the SBE during the recent election to improve signage that outlines voting rights and eligibility criteria that is displayed in the housing units of our facilities.
 - The Department also provided the SBE with a list of eligible voters currently housed in the Baltimore Pretrial Complex and Baltimore City Booking and Intake Center. This list included state identification numbers for each individual as well as the mailing address for all of our facilities.
- During the 2020 legislative session, the Department introduced amendments to House Bill 568 - *Election Law-Correctional Facilities - Voter Registration and Voting*. The amendments were incorporated into the bill. HB568, as amended, passed third reader in the House.
- The Department would like to offer the same amendments:
 - Strike beginning on line 22 “Article -Election Law” on page 2 through line 8 on page 4
 - Add the following language to Section 2-501 and 2-502 of the Correctional Services Article:

2-501

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED:

(2) “CORRECTIONAL FACILITY” MEANS A STATE CORRECTIONAL FACILITY OR A LOCAL CORRECTIONAL FACILITY

(3) “ELIGIBLE VOTER” MEANS AN INDIVIDUAL WHO
 (I) IS INCARCERATED IN A CORRECTIONAL FACILITY; AND
 (II) HAS THE RIGHT TO VOTE UNDER STATE LAW.

(B) EACH CORRECTIONAL FACILITY SHALL:

(1) DISSEMINATE WRITTEN INFORMATION DIRECTLY TO EACH INMATE WHO MAY BE AN ELIGIBLE VOTER ON ELIGIBILITY REQUIREMENTS TO REGISTER TO VOTE AND VOTER REGISTRATION APPLICATIONS AT LEAST 30 DAYS BEFORE THE DEADLINE TO REGISTER TO VOTE BEFORE EACH ELECTION;

(2) DISSEMINATE WRITTEN INSTRUCTIONS DIRECTLY TO EACH ELIGIBLE VOTER ON MAIL IN VOTING AND ABSENTEE BALLOT

APPLICATIONS IN A TIMELY MANNER BEFORE EACH ELECTION; AND

(3) PROVIDE A MAIL IN BALLOT TO AN ELIGIBLE VOTER IF REQUESTED BY THE ELIGIBLE VOTER.

(C) THE STATE BOARD OF ELECTIONS AND THE LOCAL BOARDS OF ELECTIONS SHALL PROVIDE CORRECTIONAL FACILITIES WITH:

(1) WRITTEN MATERIALS TO DISSEMINATE TO ELIGIBLE VOTERS UNDER SUBSECTION (B) OF THIS SECTION; AND

(2) ADVICE AND GUIDANCE IN CARRYING OUT THE REQUIREMENTS OF SUBSECTION (B) OF THIS SECTION.

(D) ON OR BEFORE JANUARY 15 EACH YEAR, THE STATE BOARD OF ELECTIONS SHALL SUBMIT A REPORT TO THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE AND THE HOUSE WAYS AND MEANS COMMITTEE, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THAT INCLUDES THE FOLLOWING DATA, DISAGGREGATED BY EACH STATE CORRECTIONAL FACILITY:

(1) THE NUMBER OF ELIGIBLE VOTERS WHO REGISTERED TO VOTE; AND

(2) THE NUMBER OF ELIGIBLE VOTERS WHO VOTED SUCCESSFULLY BY ABSENTEE BALLOT.

2-502.

THE DEPARTMENT SHALL:

(1) PROVIDE EACH INDIVIDUAL WHO IS RELEASED FROM A STATE CORRECTIONAL FACILITY WITH INFORMATION REGARDING VOTER REGISTRATION AND INFORMATION INDICATING THAT THE INDIVIDUAL'S VOTING RIGHTS HAVE BEEN RESTORED;

(2) DISPLAY A SIGN IN EACH PAROLE AND PROBATION OFFICE, IN A CONSPICUOUS LOCATION WHERE NOTICES TO THE PUBLIC ARE CUSTOMARILY POSTED, INDICATING THAT ANY INDIVIDUAL WHO IS NO LONGER INCARCERATED HAS THE RIGHT TO VOTE; AND

(3) POST A NOTICE, IN A CONSPICUOUS LOCATION ON THE DEPARTMENT'S WEBSITE, INDICATING THAT ANY INDIVIDUAL WHO IS NO LONGER INCARCERATED HAS THE RIGHT TO VOTE.

CONCLUSION: For these reasons, the Department of Public Safety and Correctional Services urges a **FAVORABLE** Committee report on Senate Bill 224 with **amendments**.