

Institute *for* Responsive Government Action

The Institute for Responsive Government Action respectfully submits the following testimony in support of House Bill 710:

House Bill 710 would **provide an opportunity for incarcerated citizens to participate in the democratic process** in Maryland. By increasing civic engagement among justice-involved citizens, House Bill 710 can also help **enhance successful reentry, reduce recidivism, and increase public safety**. For these reasons, the Institute for Responsive Government Action wholeheartedly supports the passage of House Bill 710.

Importantly, House Bill 710 would increase access and civic engagement not only for currently incarcerated citizens, but also for citizens awaiting trial and formerly incarcerated citizens who have returned to their communities. This is because **the current system creates significant confusion about eligibility among all justice-involved citizens—even those with an indisputable right to vote**.

Although returning citizens in some states like Maryland can register to vote upon release from incarceration, **registration and voter turnout rates among returning citizens tends to be significantly lower than the general population** – in one study, the average registration rate of men with felony convictions in five states ranged from 30% to 50%, far lower than statewide average registration rates.¹ Additionally other evidence shows that **even brief periods of incarceration have significant negative effects on voting** and civic participation.²

One major reason is confusion. As the Restore Your Vote Project has pointed out:

Confusion around voting rights after a felony conviction is rampant, compounded by the patchwork of varying laws across the states, misinformation, and lack of access to authoritative legal information and services. As a result, [. . .] **many people with past convictions wrongly believe they cannot vote even when they are eligible**. Stories of rare instances where people have been prosecuted for unknowingly voting

¹ Traci Burch, *Turnout and party registration among criminal offenders in the 2008 general election*, 45 Law & Soc. Rev. 699, 716 (2011).

² Ariel White, *Political Participation Amid Mass Incarceration*, 25 Annual Review of Political Science 111, 114-15 (2022).

while ineligible exacerbate this misconception and intimidate eligible voters.³

House Bill 710 can help reverse these trends and **overcome the confusion and misinformation facing citizens who are facing trial, serving misdemeanor sentences, or who have returned to their communities.**

In addition, the bill would have **significant benefits for streamlining governmental processes and reducing costs** for correctional facilities and the State Board of Elections, who would no longer need to devote scarce resources to administering the current complicated eligibility system.

The Institute for Responsive Government Action is dedicated to ensuring state and federal governments work effectively for the very people they serve. Responsive Gov Action works to provide legislative advice and action, polling, and testimony in order to find practical policy solutions that make government systems more efficient, accessible, and responsive for everyday Americans.

³ Blair Bowie, Restore Your Vote Project, Letter to Assistant Attorney General Kristen Clarke, United States Department of Justice, Civil Rights Division (Dec. 6, 2021).