



Testimony for the Government, Labor, and Elections Committee

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SB 241 - Election Law - Individuals Released From State Correctional Facilities - Automatic Restoration of Voter Registration

FAVORABLE

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The ACLU of Maryland urges a favorable report on SB 241, a bill that would designate the Department of Public Safety and Correctional Services (DPSCS) as a voter registration agency and would require DPSCS to work with the State Board of Elections to implement procedures to register to vote eligible individuals upon release from confinement from a state correctional facility.

SB 241 furthers the goal of enfranchisement for incarcerated and formerly incarcerated persons, a goal this legislature supported by passing the Value My Vote Act in 2021, ensuring that incarcerated individuals who were not convicted of felonies or were awaiting trial would be aware of their right to vote. SB 241 will increase participation among a formerly disenfranchised population of voters.

Civic participation, such as voting, is associated with lower recidivism rates and increased public safety, allowing returning citizens to practice pro-social behaviors and beliefs.¹ Investment in one's community and the development of a positive self-image are key components of successful reentry.²

Moreover, as a result of endemic over policing and bias throughout the criminal legal system from initial arrest to sentencing, Black people make up roughly 71% of the prison population in Maryland. Overrepresentation of Black people in the incarcerated population mean existing barriers to enfranchisement disproportionately affect Black

¹ <https://www.sentencingproject.org/policy-brief/increasing-public-safety-by-restoring-voting-rights/>

² https://www.uscourts.gov/sites/default/files/68_2_4_0.pdf

Marylanders. With the understanding that enfranchisement of the formerly incarcerated is a racial justice issue, Maryland has already taken the necessary steps to ensure returning citizens can participate in the electoral process. SB 241 seeks to ease administrative barriers that often thwart access to this right.

Increased Voting Participation

Data shows that having a voting registration system in place for those reentering the community will increase the percentage of new voting registrations. A study from the Brennan Center for Justice states:

“Maryland observed a spike in its registration rate at MVA offices after implementing electronic registration. Between November 2008 and November 2010, the two years preceding the introduction of electronic registration, Motor Vehicle Administration offices produced **61.2%** of all new voter registrations. That figure rose to **80%** between November 2012 and November 2014, the first time the state had electronic registration during the run-up to a midterm election.”³

If Maryland is serious about empowering formerly incarcerated persons to vote, measures like SB 241 are necessary.

For the foregoing reasons, the ACLU of Maryland urges a favorable report on SB 241.

³ <https://www.brennancenter.org/our-work/research-reports/vrm-states-maryland>