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AB337:
Testimony by Liz Moore,
Southern Nevada Coordinator for the
Progressive Leadership Alliance of Nevada

Unless and until former felons are re-integrated as full citizens, how can they function as full citizens? Ex-felons who have satisfied all conditions of sentencing have earned the right to be re-integrated into the community as full citizens.

Nevada restricts the voting rights of ex-felons more than most states.

- Forty-eight (48) states and the District of Columbia disenfranchise felons who are in prison. Twenty-nine (29) disenfranchise felons on probation; thirty-three (33) disenfranchise felons on parole. In these arenas Nevada is in the majority. However, Nevada is one of only thirteen (13) states that disenfranchise felons who have completed their entire sentence. Of these states, only eight (8) have an outright ban for all ex-felons as does Nevada. Five (5) of the states disenfranchise voters only after a second felony, only for a specific period of time (3 or 5 years), or only felons convicted before a particular year.
- Nevada received a grade of "F" regarding ex-felon voting rights from Demos (www.demos-usa.org), in its 2002 publication "Restoring Voting Rights to Citizens with Felony Convictions" because it "effectively take[s] away the vote for life from all...citizens with felony convictions, including those who have fully completed the terms of their sentence."

Who is affected?

- In 2002, 44,000 Nevadans were banned from voting due to past felonies. 2,400 additional individuals become eligible for re-enfranchisement each year. These figures are from a Bureau of Prisons 2002 report.
- One quarter of Nevada's African American population over the age of 25 are former felons, according to the Nevada ACLU. These numbers should be viewed in the context of what we have learned from AB 500's study of traffic stop data, which revealed systemic racial profiling. According to that study, African Americans are stopped at a rate twice their percentage of the population, and are much more likely than whites to be handcuffed, searched, and arrested (in spite of data showing whites are more likely to be carrying illegal items).
- Since Nevada incarcerates more people of color than whites, communities of color are being systematically silenced at the ballot box and systematically kept out of licensed professions.

Economic barriers are a never-ending penalty that ex-offenders continue to pay after their sentences have been served in full. They create permanent barriers that prevent ex-felons from becoming contributing members of the community.

- Economic barriers worsen economic hardship in communities of color. Ex-felons are barred from approximately 20 licensed professions in Nevada, including landscape architecture, veterinary medicine, etc.
- AB 337 would change these regulations to mandate that only felonies relating to the profession in question would be considered in the licensing process. PLAN supports this.

Restoring the right to vote helps re-integrate ex-offenders into society. By increasing voter participation, it strengthens democracy.

- The US is the only democracy in the world that disenfranchises ex-offenders who have completed their sentences.

Progressive Leadership Alliance of Nevada

www.PLANevada.org

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ASSEMBLY JUDICIARY

DATE: 3/26/03 ROOM: 3138 EXHIBIT K

SUBMITTED BY: LIZ MOORE

- **There is overwhelming public support for restoration of voting rights.** Eighty (80) percent of Americans believe that all ex-felons who have completed their sentences should have the right to vote, according to a 2002 Harris Interactive Poll. The same poll found that 60 percent of Americans believe that citizens on probation or parole should have the right to vote. Newspapers including the New York Times and the Christian Science Monitor have editorialized in favor of voting by ex-felons.
- States are moving to restore the right to vote to many ex-offenders. Nevada made a good step in that direction with AB 328 in 2001, but that bill leaves too many barriers in place for ex-felons who wish to vote. In addition, that bill did not address economic disenfranchisement at all.
- The current system is full of roadblocks and barriers. One huge problem is the amount of bureaucracy and paperwork an ex felon must wade through. Ex-felons wishing to vote must subject him/herself to investigation by the Board of Pardons to determine compliance with conditions of parole as well as fill out several applications to various state and county agencies.
- The current system is confusing. There are three separate processes for different categories of ex-felons: expired prisoners who served their full terms, parolees, and probationers. From anecdotal evidence we can see that this system is such a well-kept secret and that applications are processed so slowly that felons are in fact effectively disenfranchised for life.
- **AB 337 makes re-enfranchisement automatic for all felons upon completion of their sentences (prison, probation, or parole), which is a great step forward and will reduce problems and barriers in the future. PLAN supports this.**
- PLAN believes the legislature should also address the need to simplify, streamline, and speed up the process for ex-felons who are currently disenfranchised to regain their voting rights.

Categories of Felons Disenfranchised Under State Law

STATE	PRISON	PROBATION	PAROLE	EX-FELONS
Alabama	X	X	X	X
Alaska	X	X	X	
Arizona	X	X	X	X (2nd felony)
Arkansas	X	X	X	
California	X		X	
Colorado	X		X	
Connecticut	X		X	
Delaware	X	X	X	X (5 years)
District of Columbia	X			
Florida	X	X	X	X
Georgia	X	X	X	
Hawaii	X			
Idaho	X			
Illinois	X			
Indiana	X			
Iowa	X	X	X	X
Kansas	X	X	X	
Kentucky	X	X	X	X
Louisiana	X			
Maine				
Maryland	X	X	X	X (2nd felony, 3 years)
Massachusetts	X			
Michigan	X			
Minnesota	X	X	X	
Mississippi	X	X	X	X
Missouri	X	X	X	
Montana	X			
Nebraska	X	X	X	
Nevada	X	X	X	X
New Hampshire	X			
New Jersey	X	X	X	
New Mexico	X	X	X	
New York	X		X	
North Carolina	X	X	X	
North Dakota	X			
Ohio	X			
Oklahoma	X	X	X	
Oregon	X			
Pennsylvania	X			
Rhode Island	X	X	X	
South Carolina	X	X	X	
South Dakota	X			
Tennessee	X	X	X	X (pre-1986)
Texas	X	X	X	
Utah	X			
Vermont				
Virginia	X	X	X	X
Washington	X	X	X	X (pre-1984)
West Virginia	X	X	X	
Wisconsin	X	X	X	
Wyoming	X	X	X	X
U.S. Total	49	29	33	13

Source: Jamie Fellner and Marc Mauer, *Losing the Vote: The Impact of Felony Disenfranchisement Laws in the United States*, Human Rights Watch and The Sentencing Project, October 1998, and updated by The Sentencing Project.

Momentum for Voting Rights Restoration

The tide has turned. **Connecticut** recently restored the vote to 36,000 citizens by extending voting rights to citizens on probation. **New Mexico** repealed the state's lifetime voting ban for persons with felony convictions. **Pennsylvania** recently restored the right to vote to thousands of ex-felons. Policy changes that lower barriers to voting for ex-felons have also been enacted in **Delaware, Maryland, Nevada, Virginia, and Washington**. Legislation removing barriers to vote has been introduced in **Alabama, Florida, Georgia, Indiana, Mississippi, Nebraska, New York, Rhode Island, Tennessee, Virginia, and Wisconsin**.

Emerging bipartisan, national support for voting rights. In August 2001, the National Commission on Federal Election Reform, chaired by former Presidents Carter and Ford, recommended that all states restore voting rights to citizens who have fully served their sentences. Thirty-one U.S. Senators recently voted for a measure introduced by Senators Harry Reid (D-NV) and Arlen Specter (R-PA) - both former district attorneys - to grant voting rights to ex-felons in federal elections. Many members of Congress, including Representative John Conyers, Jr. (D-MI), have also sponsored voting rights legislation in recent years.

Overwhelming public support for restoration of voting rights. According to a July 2002 Harris Interactive poll, 80% of Americans believe that all ex-felons who have completed their sentences should have the right to vote. The same poll found that over 60% of Americans believe that citizens on probation or parole should have the right to vote. Newspapers like *The New York Times* and *The Christian Science Monitor* have editorialized in support of voting by ex-felons.

"Disenfranchising felons is an archaic practice, at odds with basic American values about both punishment and democracy."
The New York Times editorial, 10/17/02

State Report Cards

- A+** **Maine and Vermont** never strip away voting rights due to felony convictions.
- B** **Hawaii, Idaho, Illinois, Indiana, Kansas, Louisiana, Massachusetts, Michigan, Montana, New Hampshire, North Dakota, Ohio, Oregon, Pennsylvania, South Dakota, Utah** and **The District of Columbia** deny the vote to inmates, but allow citizens to vote who are out of prison, on probation, or on parole.
- D** **California, Colorado, Connecticut, and New York** only allow people on probation to vote. Parolees, and those in prison are disenfranchised.
- D-** **Alaska, Arkansas, Georgia, Maryland, Minnesota, Missouri, New Jersey, New Mexico, North Carolina, Oklahoma, Rhode Island, South Carolina, Texas, West Virginia, and Wisconsin** disenfranchise all citizens on probation, in prison and on parole.
- F** **Alabama, Arizona, Delaware, Florida, Iowa, Kentucky, Mississippi, Nebraska, Nevada, Tennessee, Virginia, Washington, and Wyoming** effectively take away the vote for life from all or some citizens with felony convictions, including those who have fully completed the terms of their sentence. Some of these states may restore voting rights through a lengthy and difficult pardon, appeal, or clemency process.

A Look at the Numbers in 2000

State	Disenfranchised
Alabama	225,095
Alaska	9,230
Arizona	147,340
Arkansas	50,416
California	288,362
Colorado	23,300
Connecticut*	49,864
Delaware	32,692
D.C.	7,598
Florida	817,322
Georgia	286,277
Hawaii	5,053
Idaho	16,064
Illinois	46,992
Indiana	21,458
Iowa	100,631
Kansas	12,599
Kentucky	147,434
Louisiana	37,684
Maine	0
Maryland*	129,836
Massachusetts*	0
Michigan	49,318
Minnesota	41,477
Mississippi	119,943
Missouri	83,012
Montana	3,265
Nebraska	9,427
Nevada*	66,390
New Hampshire	2,416
New Jersey	143,106
New Mexico*	78,406
New York	131,273
North Carolina	70,653
North Dakota	1,143
Ohio	47,461
Oklahoma	52,089
Oregon	11,307
Pennsylvania	36,847
Rhode Island	19,483
South Carolina	52,210
South Dakota	2,727
Tennessee	91,149
Texas	525,967
Utah	8,896
Vermont	0
Virginia	310,661
Washington	158,965
West Virginia	8,875
Wisconsin	54,025
Wyoming	17,850
Total	4,653,587

* These states have recently changed their laws, affecting the number of people who are disenfranchised. Source on opposite page.

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