

Hope R. Amezquita Staff Attorney & Legislative Counsel (804) 523-2151 <u>hamezquita@acluva.og</u>

## Support HB/SB-Support Restoration of Civil Rights; End Felon Disenfranchisement

Contact:

HB/SB would repeal the provision of the Virginia Constitution that permanently bans individuals convicted of felonies from voting, participating on a jury, running for elected office, and serving as a notary public.

**Voting is a hallmark of democracy.** When individuals are released from incarceration, they deserve a second chance to work, raise families, and vote. Taxpaying citizens deserve a say in their government, and voting is an essential part of reassuming the duties of full citizenship. Restoring the right to vote strengthens our democracy.

**Individuals who vote help make a community safer and more vibrant.** Voters are more likely to give to charity, volunteer, attend school board meetings, serve on juries, be interested in politics, and cooperate with fellow citizens on community affairs. When children see their parents voting, they are more likely to vote as adults. In addition, research shows that formerly incarcerated individuals who vote are less likely to be re-arrested. Reinstating the right to vote is an important aspect of promoting public safety.

Automatically restoring the rights of people upon release from incarceration streamlines the restoration process and conserves government resources. Individuals should be able to walk out of prison and register to vote instead of jumping through bureaucratic government hurdles.

**Requiring people to pay court fees, restitution, or other costs before restoring their right to vote favors people of means and punishes low-income citizens.** Nationally, more than 50% of criminal defendants are indigent at the time of sentencing. Mandating payment of fees as a precondition for voting rights restoration places a disproportionate burden on low-income people, who are over-represented in the criminal justice system, and punishes them for being poor. Because owing restitution and court fees is not, in and of itself, disfranchising, denying the vote to only some people who owe these monies violates equal protection laws and the constitutional prohibition on poll taxes.

**Felony disfranchisement laws disproportionately impact people of color**. 20% of Virginia's African American voting age population is permanently disenfranchised---that is 1 out of every 5 African Americans. [compare to whites] Latino citizens are two times as likely to be disenfranchised in Virginia compared to their white counterparts. Add sentence or two on history/jim crow. Conclusion.

**Virginia is out of step with the nation**. Virginia has the second highest rate of disenfranchisement in the nation. An estimated 450,000 Virginians are permanently banned from voting, and 372,000 of these individuals live in our communities, work, and pay taxes, but still cannot vote. Conclusion.

## HB/SB XX-is the first step to ending felon disenfranchisement and strengthening our democracy.