



July 19, 2017

**Re: ACLU Urges Passage of the Democracy Restoration Act of 2017  
(S. 1588)**

Dear Senator,

On behalf of the American Civil Liberties Union (ACLU), we urge you to support the Democracy Restoration Act of 2017 (S. 1588) a bill that would restore federal voting rights to over 4.7 million<sup>1</sup> American citizens who are currently prevented from fully participating in civic life due to a past criminal conviction.

Formerly incarcerated citizens return from prison to work, pay taxes, raise families, and live as our friends and neighbors in our communities, yet they lack a voice in our own government. The Democracy Restoration Act of 2017 would rectify this by:

- Restoring voting rights in federal elections to millions of American citizens with criminal convictions who have already served their time;
- Ensuring that people on probation do not lose their right to vote in federal elections; and
- Requiring notification to individuals about their right to vote in federal elections when they are leaving prison, sentenced to probation, or convicted of a misdemeanor.

Upon release from incarceration, Americans with criminal convictions are expected to return to their families and reintegrate into their communities. However, it is very difficult within our current system to rehabilitate oneself and become a productive member of society. When returning home, formerly incarcerated people bring their criminal record with them – a record that comes with consequences that are not directly related to the crime a person committed, but persist long after a person has completed his or her sentence.

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<sup>1</sup> Christopher Uggen, Ryan Larson, & Sarah Shannon, THE SENTENCING PROJECT, 6 Million Lost Voters: State-Level Estimates of Felony Disenfranchisement, 2016 (October 2016), available at: <http://www.sentencingproject.org/publications/6-million-lost-voters-state-level-estimates-felony-disenfranchisement-2016/>

Despite having served their time, returning citizens face a multitude of barriers that prevent them from rebuilding their lives, including barriers to housing, education, voting and employment. By barring access to these basic necessities, these restrictions leave some people with few options and can result in recidivism, at high cost to the American taxpayer.

The bipartisan movement for criminal justice reform seeks to end this cycle by ensuring that a person's punishment is appropriate for the crime committed and by providing opportunities for people with criminal convictions to move forward and reintegrate themselves back into society after their release. Breaking down barriers for those with criminal records is key to this effort – and reinstating the right to vote is essential for those with criminal convictions to fully reintegrate as productive and engaged citizens.

Since the Reconstruction era, criminal disenfranchise laws have been used to suppress the voting rights of Black people. Immediately following the Civil War, these laws were intended to prevent former slaves from accessing the polls. Disenfranchise laws also proliferated during the Jim Crow era and were enacted alongside poll taxes and literacy tests in an attempt to keep African Americans from voting. Today, as African Americans continue to be disproportionately represented in our criminal justice system, disenfranchise laws also continue to prevent Black people from exercising their right to vote. Across the country, 1 in 13 African Americans of voting age has lost the right to vote, a rate more than four times greater than that of non-African Americans. Over 7.4 percent of the adult African American population is disenfranchised compared to 1.8 percent of the non-African American population.<sup>2</sup>

In addition to the racial disparity created by these laws, the passage of different disenfranchise laws in the states have created a patchwork system that results in the unequal treatment of returning citizens based solely on where they live. Two states – Maine and Vermont – currently have no voting restrictions for those with criminal records and allow people to vote while they are incarcerated. In contrast, twelve states deny voting rights to some or all individuals who have completed their time spent in prison or on parole or probation.<sup>3</sup> All other states fall somewhere in between, meaning a voter can lose the right to vote simply by moving to another state. The Democracy Restoration Act addresses this issue by uniformly affirming the right to vote for all returning citizens and ensuring that a person's location does not limit their ability to participate in our democracy.

The right to vote is fundamental to our political system and a broad voter base is essential for a healthy democracy. Restoring voting rights to returning citizens is the best way to ensure the greatest level of participation in our elections and encourage civic engagement from those who have been otherwise disconnected from society. For these reasons we strongly urge you to support the passage of the Democracy Restoration Act of 2017 (S. 1588).

If you have any question, please feel free to contact Jennifer Bellamy at 202-715-0828 or [jbellamy@aclu.org](mailto:jbellamy@aclu.org). Thank you for your time and consideration.

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<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

Sincerely,



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National Political Director



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