

**BRENNAN
CENTER
FOR JUSTICE**

Statement of

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Good morning. My name is Erika Wood and I am the Deputy Director of the Democracy Program at the Brennan Center for Justice. I want to thank the New York Civil Liberties Union for inviting me to speak to you today.

Perhaps more than any in recent history, this year reminds us why the right to vote matters. Hundreds of thousands of Americans have not only registered to vote, but showed up at the polls during the primaries this spring.

There remains, however, one last blanket barrier to the franchise. Across the country there are 5.3 million American citizens who are denied the right to vote because of a felony conviction in their past. Nearly 4 million of these people are not in prison; they live, work, pay taxes, and raise families in our communities, but remain disenfranchised for years, often for decades, and sometimes for life.

Here in New York, more than 120,000 people are denied the right to vote because of a felony conviction in their past, over 55,000 are individuals who are out of prison and living in the community. But untold thousands of *eligible* New Yorkers with felony convictions have been illegally denied the right to register and vote because of persistent confusion and noncompliance on the part of elections officials.

Under New York law people in prison and on parole cannot vote. People on probation *can* vote, and people who have been discharged from parole *can* vote. However, Brennan Center studies in 2003 and 2005 showed that county election officials are unclear about the law. A 2006 Brennan Center report revealed that one-third of all counties refused to register people on probation, even though they never lose the right to vote, including 3 out of 5 New York City boroughs. A third of the local election boards also illegally required individuals to show documentation or proof of their eligibility status.

Because of this persistent misinformation, many New Yorkers with felony convictions do not know whether they are eligible to vote. In 2005, researchers found that about half of New Yorkers surveyed incorrectly believed they were ineligible to vote while on probation

and about 30% believed that they lost their right to vote if they had only been arrested, but not convicted, for a crime. Nearly 30% of people with felony convictions in New York thought they would never be eligible to vote again. And more than 60% of those surveyed had never been given any information about their voting rights.

So we want to get the word out, and that is why we are excited about these bus ads and our public education campaign. We encourage everyone who is eligible to vote to register today. Thank you.