

BRENNAN  
CENTER  
FOR JUSTICE

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April 24, 2009

The Honorable Chris Gregoire  
Office of the Governor  
P.O. Box 40002  
Olympia, WA 98502-0002

Re: The Voting Rights Restoration Act

Dear Governor Gregoire:

We write on behalf of the Brennan Center for Justice at NYU School of Law to urge you to sign House Bill 1517, the Voting Rights Restoration Act. This long-overdue reform would eliminate Washington's modern-day poll tax and make Washington's felony disenfranchisement law more just, less discriminatory, and easier to administer.

The Brennan Center is a non-partisan, not-for-profit public policy and law institute that focuses on issues of democracy and justice. The Brennan Center's Right to Vote project works exclusively on restoring voting rights to persons with criminal convictions by engaging in litigation, legislative and administrative advocacy, and public education nationwide at the federal and state level. The Brennan Center's efforts in the promotion and protection of voting rights, particularly on behalf of disadvantaged and minority communities, are extensive. The Right to Vote team has been working with local partners in Washington on the passage of House Bill 1517 for many months.

The Voting Rights Restoration Act enfranchises thousands of voters with a very simple change to existing law: it eliminates the requirement that people pay all legal financial obligations (LFOs) before being eligible to vote. This change would move Washington from having one of the most restrictive felony disenfranchisement policies in the country to having one of the most common. Washington is one of only eight states that currently require people to pay their financial obligations before being able to vote.<sup>1</sup> With the passage

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<sup>1</sup> With the exception of Arizona and Delaware, all of the other states are in the deep south: Alabama, Florida, Kentucky, Mississippi, Tennessee and Virginia. Erika Wood & Neema Trivedi, *Modern Day Poll Tax*, 41 *Clearinghouse Review* 30 (May-June 2007). Two of these laws, Arizona and Tennessee, are currently being challenged in federal court. See [http://www.brennancenter.org/content/resources/court\\_cases/category/voting\\_after\\_criminal\\_conviction](http://www.brennancenter.org/content/resources/court_cases/category/voting_after_criminal_conviction).

of this law, Washington will join 19 states that restore voting rights automatically upon completion of sentence.<sup>2</sup>

Washington's current law creates a lifetime voting ban for low-income individuals. Because the state charges interest rates on all fees and fines, many people coming out of prison find that their debt accrues at alarming rates despite their best efforts to make monthly payments. In addition, poor and minority people coming out of the criminal justice system are often severely disadvantaged in finding employment. Their inability to obtain a job or pay the accrued LFOs assures that they will lose the right to vote for decades, if not for the rest of their lives. At the same time, wealthy white-collar offenders will be able to pay off their LFOs and get their right to vote back immediately.

Simply put, the right to vote should never hinge on one's wealth or economic status. The Voting Rights Restoration Act now eliminates this modern-day poll tax in Washington.

The Voting Rights Restoration Act also eases the administrative burden on both election officials and the county clerks. The current law imposes complicated reporting requirements on the county clerks collecting LFOs, and there is no way for election officials to track who is and is not eligible to vote. By eliminating the LFO requirement, the Voting Rights Restoration Act simplifies a complicated and ineffective process. It makes the rule clear for all of those involved: rights are restored as soon as individuals complete their prison, probation and parole.

With the Voting Rights Restoration Act, Washington joins a nationwide movement to end this last blanket barrier to the franchise. In the past decade, 19 states have restored voting rights to people with criminal histories or eased the restoration process.<sup>3</sup>

Granting all persons who have completed their criminal sentence the right to vote makes our democracy richer, more diverse, and more representative of all people than ever before. The bill you have before you would move Washington from the fringe to the mainstream of American democracy, reverse a discriminatory policy, and simplify the law. But most importantly, it would give a voice back to thousands of Washington citizens. We urge you to quickly sign it into law.

Sincerely,

Erika L. Wood  
Deputy Director

Liz Budnitz  
Voting Rights Fellow

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<sup>2</sup> Erika Wood, *Restoring the Right to Vote* 3 (2008), available at [http://www.brennancenter.org/content/resource/restoring\\_the\\_right\\_to\\_vote/](http://www.brennancenter.org/content/resource/restoring_the_right_to_vote/)

<sup>3</sup> Ryan S. King, *Expanding the Vote* 1 (Sept. 2008) available at [http://sentencingproject.org/Admin/Documents/publications/fd\\_statedisenfranchisement.pdf](http://sentencingproject.org/Admin/Documents/publications/fd_statedisenfranchisement.pdf)