

**To: Rep. Joe Parisi, Chair; and Members of the Assembly Committee on Corrections and the Courts**  
**From: Todd Winstrom, Staff Attorney, Disability Rights Wisconsin**  
**Date: August 27, 2009**

**Subject: Assembly Bill 353: Restoring the right to vote of ex-offenders**

*Disability Rights Wisconsin (DRW) is in strong support of Assembly Bill 353, which simplifies the law regarding restoration of the vote to ex-offenders, thereby increasing the number of qualified individuals with disabilities who vote in our state. DRW is the designated protection and advocacy agency for the state of Wisconsin. We provide a wide range of advocacy services to people with all types of disabilities and ages throughout Wisconsin. DRW's non-partisan voting rights project, funded through the Help America Vote Act to ensure equal access to the polls for eligible voters with disabilities, has provided training to hundreds of voters with disabilities, poll workers and clerks on the issue of voting rights for voters with disabilities and equal access to the polls. Through this work we have learned that, because of the various barriers that they face, voters with disabilities vote at a rate of about 10 to 15 percent below that of the general voting population.*

DRW also provides extensive protection and advocacy services to individuals with disabilities who are incarcerated or who are under correctional supervision. Individuals with disabilities comprise a substantial portion of Wisconsin's prison population. For example, more than 6600 inmates, 31% of Wisconsin's total prison population, have a significant mental health condition. People with the most serious and persistent mental illnesses make up 10% of the prison population, while they comprise only 4% of Wisconsin's total population. There is no available data about the number of inmates with developmental disabilities, (mental retardation, traumatic brain injury, autism spectrum disorders and fetal alcohol spectrum disorders) although research suggests there could be as many as 2000 inmates with such conditions. Due to the lack of data, it is not possible to estimate the number of inmates with other disabilities, although the number is certainly in the thousands.

There are also tens of thousands of disfranchised people with disabilities who are living in the community under Probation, Parole and Extended Supervision. The Dept. of Corrections maintains no data about the prevalence of disabilities amongst people under community supervision; but applying the prison prevalence rates would suggest that population included approximately 12,000 individuals with significant mental health conditions. The number of individuals with other disabilities is probably just as large.

People with disabilities returning to the community from prison, or living under community supervision, face innumerable obstacles to establishing successful lives. Many of these people need access to benefits such as SSI and Medical Assistance in order to obtain necessary medications, medical and mental health treatment, other disability related services and supports, and to provide for basic necessities such as food, clothing and shelter. However, the process of applying for these benefits is complex and time consuming – even for Dept. of Corrections Social Workers – and is impossibly overwhelming for many people with disabilities, leaving them unable to meet even their most basic needs.

*These problems are merely an addition to the range of barriers that people with disabilities consistently face, even when not involved in the criminal justice system – lack of services, architectural barriers, unmet need for accommodation, and the persisting stigmatization of people with disabilities – all of which often leave people with disabilities excluded and disconnected from the community, living on the margins. This marginalization is compounded by the exclusion from participation in the public life of our democracy that result from disfranchisement. It is critical for people with disabilities, particularly for ex-offenders with disabilities, to connect and engage positively with the community, living full and productive lives, thereby reducing the risk of recidivism.*

**DRW strongly urges you to vote in favor of AB 353**