

# Democracy Restoration Act of 2009

**From:** The Committee on the Judiciary  
**Sent By:** [anita.johnson@mail.house.gov](mailto:anita.johnson@mail.house.gov)  
**Date:** 6/3/2009

**June 3, 2009**

Join Us as an Original Co-Sponsor of the Democracy Restoration Act of 2009  
Original Cosponsor Deadline: June 16 at 5:00 p.m.

Dear Colleague:

We urge you to join us as an original cosponsor of the Democracy Restoration Act of 2009. This legislation is designed to clarify and, in some cases, expand the voting rights of people with felony convictions. Last Congress, President Bush signed the Second Chance Act into law, signaling a greater awareness of the need to implement policies that assist in the reintegration of ex-offenders into their communities. This legislation is the next logical step in restoring their full participation in civic life.

The Sentencing Project reports that, since 1997, 19 states have amended felony disenfranchisement policies in an effort to reduce their restrictiveness and expand voter eligibility. These reforms have resulted in more than 760,00 citizens regaining their voting rights. Yet, despite these reforms, more than 5 million American citizens were ineligible to vote in last November's historic Presidential election because they have a felony conviction. Almost 4 million of these people – many of whom work every day and pay their taxes – reside in the 35 states that still prohibit ex-offenders who have completed their sentences, or who are on probation or parole, from voting.

We believe that such prohibitions on the right to vote undermine both our voting system and the fundamental rights of people with felony convictions. Disenfranchisement laws isolate and alienate ex-offenders, and serve as one more obstacle in their attempt to successfully put the past behind them by fully reintegrating into society. But that is only half the story. The current patchwork of state laws create widespread confusion among election officials throughout the country. For example, although people with misdemeanor convictions never lose the right to vote in Ohio, in 2008 30% of election officials in the state responded incorrectly or expressed uncertainty about whether individuals with misdemeanor convictions could vote. This kind of confusion has resulted in flawed voter purges that have deprived legitimate voters of their rights. Most egregiously, again in Ohio, an erroneous interpretation of state law by the Secretary of State deprived thousands of people with felony convictions of even the opportunity to register. Only federal law can conclusively resolve the ambiguities in this

area plaguing our voting system.

This legislation is a narrowly crafted effort to expand voting rights for people with felony convictions, while protecting state prerogatives to generally establish voting qualifications. The legislation would only apply to persons who are not in prison, and it would only apply to federal elections. As such, our bill is fully consistent with constitutional requirements established by the Supreme Court in a series of decisions upholding federal voting rights laws.

In past Congresses, voting restoration legislation has been supported by a broad coalition of groups interested in voting and civil rights, including the NAACP, ACLU, the National Council of Churches (National and Washington Office), the National Urban League, the Human Rights Watch, the Brennan Center for Justice and the Lawyers Committee for Civil Rights, among many others. This coalition has expanded to include many law enforcement groups including the American Probation and Parole Association, the Association of Paroling Authorities International and the National Black Police Association, among others, who recognize that allowing people to vote after release from prison helps rebuild ties to the community that motivate law-abiding behavior.

The practice of many states denying voting rights to ex-offenders represents a vestige from a time when suffrage was denied to whole classes of our population based on race, gender, religion, national origin and property. We believe that our nation fails not only people with felony convictions by denying them the right to vote, but the rest of a society that has struggled throughout its history with ensuring that its citizenry be part of legitimate and inclusive elections. Just like poll taxes and literacy tests prevented an entire class of citizens, namely African Americans, from integrating into society after centuries of slavery, ex-felon disenfranchisement laws prevent people from reintegrating into society after they have served their time in prison. It is long overdue that these restrictions be relegated to unenlightened history.

If you are interested in being an original cosponsor of this legislation, or require any additional information, please contact Keenan Keller (x5-2697).

Sincerely,

//s//

John Conyers, Jr.  
Chairman, Committee on  
the Judiciary

//s//

Jerrold Nadler  
Chairman, Subcommittee on the  
Constitution, Civil Rights, and  
Civil Liberties