



Legislative Testimony
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**Written Testimony Supporting House Bill 6578, An Act Concerning
Participation in the Electoral Process**

Senator Flexer, Representative Fox, Ranking Members Sampson and Mastrofrancesco, and distinguished members of the Government Administration and Elections Committee:

My name is Kelly McConney Moore, and I am the interim senior policy counsel for the American Civil Liberties Union of Connecticut (ACLU-CT). I am testifying in support of House Bill 6578, An Act Concerning Participation in the Electoral Process. This bill contains three distinct policies, all of which are incredibly important to a strong democracy. We address each component of House Bill 6578 separately below.

Voting for People on Parole

The right to vote is a fundamental part of America's democracy, and the government should not abridge that right lightly. Restoring the right to vote for people who have been disenfranchised strengthens our democracy by increasing voter participation and helping formerly incarcerated people to reintegrate into society. As an organization that defends the right to vote and believes that enfranchisement is an incredibly important way for people to participate in America's democracy, the ACLU-CT supports this bill, which would allow formerly incarcerated people convicted of a felony who are on parole to vote.

More than six million Americans are currently disenfranchised due to a felony conviction.¹ Laws that disenfranchise people because of felony convictions

¹ Christopher Uggen, Ryan Larson, and Sarah Shannon, "6 Million Lost Voters: State-Level Estimates of Felony Disenfranchisement, 2016." The Sentencing Project, Oct. 6, 2016, *available at*

disproportionately disenfranchise Black Americans.² In many states, they were, in fact, intended to have this racist effect. The modern practice of felony disenfranchisement became particularly widespread in the Jim Crow era, and after Reconstruction, white lawmakers codified felony disenfranchisement laws that explicitly targeted Black Americans to diminish their electoral strength.³

Not only is it past time to remove this racist legacy from our code, but it is also time to eliminate a nonsensical disparity in voting laws. Other people under carceral supervision – specifically, people on probation – can vote in Connecticut.⁴ The practical distinctions between people on probation and people on parole are insignificant: both groups are people who are living in the community and are under continuing supervision after leaving incarceration.⁵ People on probation have been eligible to vote in Connecticut since 2001.⁶ Extending this fundamental right to people on parole just makes sense.

This bill is the best version of voting for people on parole, because it removes the requirement that people must pay all fines before being restored to voting status. Removing this provision ensures Connecticut does not just substitute one Jim Crow-era voter suppression measure (disenfranchising people on parole) for another (poll taxes). Requiring people to pay to vote is fundamentally undemocratic and a relic of times of times that had even more voter suppression;⁷ the ACLU-CT strongly supports this bill's removal of that language.

<https://www.sentencingproject.org/publications/6-million-lost-voters-state-level-estimates-felony-disenfranchisement-2016/>.

² Karina Schroeder, “How Systemic Racism Keeps Millions of Black People from Voting.” Vera Institute of Justice, Feb. 16, 2018, *available at* <https://www.vera.org/blog/how-systemic-racism-keeps-millions-of-black-people-from-voting>.

³ *Id.*

⁴ Kelan Lyons, “Unlocking the vote of Connecticut’s formerly incarcerated.” PBS, Jun. 9, 2020, *available at* <https://www.pbs.org/wgbh/americanexperience/features/vote-unlocking-vote-connecticuts-formerly-incarcerated/>.

⁵ See, e.g., “Probation, Parole and Prison Populations.” Connecticut Office of Policy and Management, *available at* <https://portal.ct.gov/OPM/CJ-About/CJ-SAC/CJ-Research-SAC/Projects/Probation-Parole-and-Prison-Populations>.

⁶ Conn. P.A. 01-11 (2001), *available at* <https://www.cga.ct.gov/2001/act/Pa/2001PA-00011-R00HB-05042-PA.htm>.

⁷ See Perry Grossman & Mark Joseph Stern, “The decision upholding Florida’s Jim Crow-style poll tax is an affront to democracy.” Slate, Sept. 14, 2020, *available at* <https://slate.com/news-and-politics/2020/09/florida-felony-disenfranchisement-pryor-decision.html>.

By passing this bill, Connecticut would join Massachusetts, Rhode Island, New Hampshire, and fifteen other states in affording people on parole their rights to vote.⁸ It would also bring Connecticut closer to the models set by Maine, Vermont, and D.C., which protect incarcerated people's rights to vote, and New Mexico, which is considering such a law. Mass incarceration, when combined with disenfranchisement laws, subverts participatory democracy, particularly for communities of color. Restoring the right to vote for people on parole is the first step to dismantling these harmful and discriminatory laws.

Automatic Voter Registration

As an organization committed to the liberties guaranteed by our Constitution, the ACLU-CT fully supports a fair voting system to uphold the foundational cornerstone of our democracy: the right to vote. We therefore support the automatic voter registration measures in House Bill 6578, which would provide more people with the opportunity to participate in elections in Connecticut.

Multiple sections of House Bill 6578 allow or require the use of electronic systems to make registering to vote more easily accessible for Connecticut residents. Codifying what is already happening at the Department of Motor Vehicles – where they use electronic systems for online voter registration, changing a voter's address, and notifying people that they have received their applications – benefits everyone. The use of electronic systems most significantly impacts people who are vulnerable to disenfranchisement, including people living with disabilities, those who lack transportation, students, and people who have unpredictable work schedules because they may be less likely to be able to visit offices in person.

These important provisions, which provides voting access to people who need it the most, should be extended to cover additional government agencies, like the Department of Social Services, HUSKY, state colleges and universities, and more.

⁸ "Felon Voting Rights." National Conference of State Legislatures, Jan. 8, 20201 *available at* <https://www.ncsl.org/research/elections-and-campaigns/felon-voting-rights.aspx>.

The more opportunities we provide to people to register to vote, the more we can remove unnecessary barriers.

The right to vote is a fundamental part of America's democracy, and registering to vote should be a task that is simple to complete. To strengthen House Bill 6578, we recommend that the Committee extend the automatic voter registration requirements of this bill to appropriate agencies beyond the Department of Motor Vehicles.

Challengers

Under the Connecticut statutes, challengers are currently appointed for the sole person of contesting a person's right to vote. This position is unnecessary and subject to abuse, and so the provisions of House Bill 6578 that eliminate challengers from polling places are positive. Other people in the polling place are already tasked with verifying people's identities and eligibility to vote. There has been no indication in any recent elections that people who are ineligible to vote have been able to successfully vote at their polling places. To the contrary, local elections officials have done an excellent job ensuring that every person who casts a vote is eligible to do so. Given this efficient administration of elections, challengers are unnecessary. Coupled with their statutory authority to disrupt voting, potentially for illegitimate or bias-based reasons, it is clear that Connecticut does not need challengers. Accordingly, we support the sections of House Bill 6578 that eliminate the position.

Conclusion

The various provisions of House Bill 6578 significantly increase access to voting in Connecticut and remove unnecessary barriers in the forms of fees and bad-faith challenges. We strongly support all the provisions of this bill and encourage the Committee to broaden the automatic voter registration provisions of Sections 2 and 3 to more state agencies. We urge the Committee to support such an expanded version of House Bill 6578.