



**American Civil Liberties Union
Statement Before the House Judiciary Committee on the Judiciary
Subcommittee on the Constitution, Civil Rights, and Civil Liberties**

Hearing on the Democracy Restoration Act (H.R. 1355)

Submitted by

Laura W. Murphy
Director, ACLU Washington Legislative Office

and

Deborah J. Vagins
Legislative Counsel ACLU Washington Legislative Office

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I. Introduction

Chairman Nadler, Ranking Member Sensenbrenner, and Members of the Subcommittee:

On behalf of the American Civil Liberties Union (ACLU), its over half a million members, countless additional supporters and activists, and fifty-three affiliates nationwide, we commend the House Judiciary Subcommittee on the Constitution, Civil Rights, and Civil Liberties for conducting a hearing concerning the voting rights of millions of American citizens currently barred from exercising that most fundamental of rights.

The ACLU is a nationwide, non-partisan organization working daily in courts, Congress, and communities to defend and preserve the civil rights and liberties that the Constitution and laws of the United States guarantee everyone in this country. We are pleased to submit this written statement for the record on the vitally important Democracy Restoration Act, H.R. 3335, a bill that would restore the voting rights of formerly incarcerated people in federal elections so that they, like all Americans, may be heard. This statement is excerpted, in part, from a forthcoming American Constitution Society issue brief co-authored by Deborah J. Vagins of the ACLU and Erika Wood of the Brennan Center for Justice at NYU School of Law.¹

¹See DEBORAH J. VAGINS & ERIKA WOOD, THE DEMOCRACY RESTORATION ACT: ADDRESSING A CENTURIES-OLD INJUSTICE (forthcoming American Constitution Society Issue Brief, Spring 2010).

Our history is marked by successful struggles to expand the franchise to include those previously barred from the electorate because of race, class, or gender. There remains, however, a significant barrier to continuing this progress: 5.3 million American citizens are denied the right to vote because of a criminal conviction in their past. Nearly 4 million of those who are disfranchised are out of prison, working, paying taxes, and raising families, yet they are without a voice.² In addition, countless individuals with past convictions who are eligible to vote have been misinformed by election and criminal justice officials that they cannot vote, making the number of Americans impacted by criminal disfranchisement far greater.³

A democracy's strength is derived from broad civic engagement and election participation. Yet, the United States is one of the few western democratic nations to exclude such large numbers of people from the democratic process.⁴ Worse still, felony disfranchisement laws are rooted in the Jim Crow era and were intended and continue to bar minorities from voting. By continuing to deny citizens the right to vote based on a past criminal conviction, the government endorses a system that expects these citizens to contribute to the community, but denies them participation in our democracy. The Democracy Restoration Act (H.R. 3335/S. 1516) provides a solution to this problem by putting in place a uniform law restoring voting rights in federal elections to anyone who is out of prison and living in the community.

II. The Problem

State laws vary widely on when voting rights are restored. Two states, Virginia and Kentucky, permanently disfranchise citizens with felony convictions unless the Governor approves individual rights restoration.⁵ Maine and Vermont allow all persons with felony convictions to vote, even while incarcerated. The rest of the states fall somewhere in between: 13 states and the District of Columbia grant voting rights to people who are not in prison – people in these states can vote while on probation and parole;⁶ five states allow individuals sentenced to probation, but not parole to vote;⁷ 20 states restore the right to vote once an individual has completed his entire criminal sentence, including probation and parole;⁸ and eight states permanently disfranchise at least some

² See Deborah J. Vagins, *The Democracy Restoration Act – Restoring a Civil Right Denied*, DAILY KOS, Aug. 4, 2009, <http://www.dailykos.com/storyonly/2009/8/4/761828/-The-Democracy-Restoration-ActRestoring-a-Civil-Right-Denied->; JEFF MANZA & CHRISTOPHER UGGEN, LOCKED OUT: FELON DISENFRANCHISEMENT AND AMERICAN DEMOCRACY 76 (2006); ERIKA WOOD, RESTORING THE RIGHT TO VOTE 2 (2009), available at http://www.brennancenter.org/content/resource/restoring_the_right_to_vote/.

³ See ERIKA WOOD & RACHEL BLOOM, DE FACTO DISENFRANCHISEMENT 1 (2008), available at <http://www.aclu.org/votingrights/exoffenders/36992pub20081001.html>.

⁴ LALEH ISPAHANI, OUT OF STEP WITH THE WORLD: AN ANALYSIS OF FELONY DISENFRANCHISEMENT IN THE U.S. AND OTHER DEMOCRACIES 3 (2006), available at <http://www.aclu.org/votingrights/exoffenders/25663pub20060525.html>.

⁵ See WOOD, *supra* note 2, at 3; AMERICAN CIVIL LIBERTIES UNION, VOTING RIGHTS FOR PEOPLE WITH CRIMINAL RECORDS; 2008 STATE LEGISLATIVE AND POLICY CHANGES, <http://www.aclu.org/state-legislative-and-policy-reform-advance-voting-rights-formerly-incarcerated-persons-2008> (last visited Mar. 11, 2010) [hereinafter *Voting Rights Policy Changes*].

⁶ Hawaii, Illinois, Indiana, Massachusetts, Michigan, Montana, New Hampshire, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, Utah, and the District of Columbia grant voting rights to persons on probation or parole. See WOOD, *supra* note 2, at 3; *Voting Rights Policy Changes*, *supra* note 5.

⁷ California, Colorado, Connecticut, New York, and South Dakota grant voting rights to persons on probation, but not on parole. See WOOD, *supra* note 2, at 3; *Voting Rights Policy Changes*, *supra* note 5.

⁸ These states are Alaska, Arkansas, Georgia, Idaho, Iowa, Kansas, Louisiana, Maryland, Minnesota, Missouri, Nebraska (after a two-year waiting period), New Jersey, New Mexico, North Carolina, Oklahoma, South Carolina,

people with criminal convictions, depending on the type or number of convictions, unless the state approves individual rights restoration.⁹

Within these categories, nine states require people to pay off legal financial obligations – such as fees, fines and restitution – before being allowed to vote,¹⁰ and some states even deny the right to vote to people convicted of certain misdemeanors.

III. The Jim Crow Roots of Felony Disfranchisement Laws

Understanding how criminal disfranchisement laws impact communities of color requires an understanding of the origins of these laws in the United States. Many of these criminal disfranchisement laws are rooted in the Jim Crow era, and were created with the purposes of barring African Americans from voting. In the late 1800s, Jim Crow laws spread and states modified their voting laws in ways that would exclude African American voters without overtly violating the Fourteenth and Fifteen Amendments. Despite their newfound eligibility to vote, many freed slaves remained effectively disfranchised as a result of organized efforts to stop their access to the polls. While race neutral on their face, along with poll taxes, literacy tests, and grandfather clauses, criminal disfranchisement laws became a targeted method of disfranchising African Americans in the Reconstruction Era.¹¹

Between 1865 and 1900, 18 states adopted laws restricting the voting rights of people convicted of crimes. By 1900, 38 states had some type of criminal voting restriction, most of which disfranchised convicted individuals until they received a pardon.¹² At the same time, states expanded the criminal code to punish those offenses with which they believed freedmen were likely to be charged, including vagrancy, petty theft, bigamy, miscegenation, and burglary.¹³ Aggressive arrest and conviction efforts followed. These targeted criminalization efforts and criminal disfranchisement laws combined to produce the legal loss of voting rights for African Americans, usually for life, effectively suppressing African American political power for decades.¹⁴

Nationwide, the disproportionate impact of felony disfranchisement laws on people of color continues to this day.¹⁵ Over 13% of African American men are denied the right to vote,¹⁶ a rate

Texas, Washington, West Virginia, and Wisconsin. See WOOD, *supra* note 2, at 3; *Voting Rights Policy Changes*, *supra* note 5.

⁹ These states are Alabama, Arizona, Delaware, Florida, Mississippi, Nevada, Tennessee, and Wyoming. See WOOD, *supra* note 2, at 3; *Voting Rights Policy Changes*, *supra* note 5.

¹⁰ These states are Arizona (restitution only), Arkansas, Alabama, Connecticut (out-of- state or federal convictions only), Delaware, Florida, Kentucky (restitution only), Tennessee (restitution and child support arrears) and Virginia. See Erika Wood & Neema Trivedi, *The Modern Day Poll Tax: How Economic Sanctions Block Access to the Polls*, 41 CLEARINGHOUSE REV. J. POVERTY L. AND POL'Y 30 (2007), available at <http://www.brennancenter.org/page/-/Modern%20Day%20Poll%20Tax.pdf>. There have been recent reforms. In 2006, Maryland eliminated its LFO requirement and Washington State eliminated its requirement in 2009. See Voter Registration Protection Act, 2007 Md. Laws 159 and 2009 Wash. Ch. 325.

¹¹ See ALEXANDER KEYSSAR, *THE RIGHT TO VOTE: THE CONTESTED HISTORY OF DEMOCRACY IN THE UNITED STATES* 111-12 (2009); see also Alec C. Ewald, “Civil Death”: *The Ideological Paradox of Criminal Disenfranchisement in the United States*, 2002 WIS. L. REV. 1087, 1061 (2002).

¹² See Manza & Uggen, *supra* note 2, at 251-53 tbl. A3.4.

¹³ See ERIC FONER, *RECONSTRUCTION: AMERICA’S UNFINISHED REVOLUTION 1863-1877* 593 (1988); see Ewald, *supra* note 11, at 1090-95.

¹⁴ See Ewald, *supra* note 11, at 1090-91.

¹⁵ See Vagins, *supra* note 2.

that is seven times the national average.¹⁷ Through 2004, in 11 states more than 15% of African Americans could vote due to a felony conviction, and five of those states disfranchised more than 20% of the African American voting-age population.¹⁸ Most recently, in *Farrakhan v. Gregoire*, the U.S. Court of Appeals for the Ninth Circuit held that Washington State's law resulted in the denial of the right to vote on account of race, in violation of Section 2 of the Voting Rights Act.¹⁹

The disproportionate incarceration rate of African Americans, frequently the result of discriminatory criminal policies, makes it far more likely that they will be disfranchised.²⁰ For example, because of targeted sweeps and prosecutions, African Americans are over ten times more likely than white defendants to be incarcerated for drug offenses.²¹ In 2008, the incarceration rate for all crimes was six-and-a-half times higher for black males than for white males.²² If the current rates of incarceration continue, approximately three in ten of the next generation of black men will be disfranchised at some point during their lifetime.²³ Restoring voting rights to people who are living and working in society is one important step in the battle to correct years of organized efforts to disfranchise African American voters.

IV. The Need for a Uniform Standard in Federal Elections

The patchwork of varying state requirements across the country causes widespread and persistent confusion among election officials, criminal justice professionals, and the public.²⁴ This confusion has resulted in eligible voters, sometimes even those with no disqualifying criminal conviction, being purged from the rolls or denied the ability to register to vote or cast their ballots. Research indicates that many election officials misrepresent or do not understand their state's voter eligibility laws and registration procedures for people with criminal convictions.²⁵ In some instances, their confusion is even further compounded by those who have out-of-state convictions.²⁶ These problems have resulted in the *de facto* disfranchisement of many eligible voters across the country.

¹⁶ See AMERICAN CIVIL LIBERTIES UNION, OUT OF STEP WITH THE WORLD: AN ANALYSIS OF FELONY DISENFRANCHISEMENT IN THE U.S. AND OTHER DEMOCRACIES 3 (2006), available at http://www.aclu.org/images/asset_upload_file825_25663.pdf.

¹⁷ See THE SENTENCING PROJECT, FELONY DISENFRANCHISEMENT LAWS IN THE UNITED STATES 1 (2007), http://www.sentencingproject.org/doc/publications/fd_bs_fdlawsinus.pdf.

¹⁸ As of December 31, 2004, Alabama, Arizona, Delaware, Florida, Iowa, Kentucky, Nebraska, Virginia, Washington, and Wyoming disfranchised more than 15% of their African American voting-age population. Arizona, Iowa, Kentucky, Nebraska, and Wyoming disfranchised more than 20% of the African American voting-age population. MANZA & UGGEN, *supra* note 2, at 251-253 tbl. A3.4.

¹⁹ No. 06-35669, 2010 U.S. App. LEXIS 141, at *73 (9th Cir. Jan. 5, 2010) ("Plaintiffs have demonstrated that the discriminatory impact of Washington's felon disfranchisement is attributable to racial discrimination in Washington's criminal justice system; thus, that Washington's felon disfranchisement violates § 2 of the VRA."). It should be noted that the U.S. Courts of Appeals for the First, Second, and Eleventh Circuits have rejected similar claims. See *Simmons v. Galvin*, 575 F.3d 24 (1st Cir. 2009); *Hayden v. Pataki*, 449 F.3d 305 (2d Cir. 2006); *Johnson v. Bush*, 405 F.3d 1214 (11th Cir. 2005).

²⁰ See Ewald, *supra* note 11, at 1046.

²¹ HUMAN RIGHTS WATCH, TARGETING BLACKS – DRUG LAW ENFORCEMENT IN THE UNITED STATES 2 (2008).

²² BUREAU OF JUSTICE STATISTICS, PRISONERS IN 2008 2 (2009), <http://bjs.ojp.usdoj.gov/content/pub/pdf/p08.pdf>.

²³ See THE SENTENCING PROJECT, FELONY DISENFRANCHISEMENT IN THE UNITED STATES 1 (2008), available at http://www.sentencingproject.org/doc/publications/fd_bs_fdlawsinus.pdf.

²⁴ Vagins, *supra* note 2.

²⁵ See WOOD & BLOOM, *supra* note 3.

²⁶ See *id.* at 6-7.

Interviews with election officials around the country confirm the difficulty in applying voter eligibility rules. For example:

- In Colorado, half of local election officials surveyed erroneously believed that people on probation were ineligible to vote.²⁷
- In New York, which also allows people on probation to vote, 38% of local election boards incorrectly stated that people on probation were prohibited from voting.²⁸
- In Tennessee, 63% of local election officials interviewed were unaware of the types of offenses and other criteria for which people could be permanently disfranchised.²⁹
- Over half of election officials interviewed in Arizona could not explain the eligibility rules under that state's law, which differentiates between people convicted of one offense from those convicted of repeat offenses.³⁰

The effects of such widespread confusion among local officials reach further than the misinformed individuals turned away from the registrars' office or the polls. When a person seeking to register is erroneously told he is ineligible to vote, he is likely to accept the election official's word as fact and never follow up. This false information may then be passed on to friends and family, and may eventually result in large segments of communities who never even attempt to vote because they have been misinformed about their rights.³¹

The Democracy Restoration Act of 2009 would resolve the problem of *de facto* disfranchisement in federal elections by putting in place a uniform law restoring voting rights in federal elections to anyone who is out of prison, living in the community.³² Simplifying the law with regard to federal elections will ease the process of educating election and criminal justice officials, allow state administrative processes to run more smoothly, and highlight mistakes quickly before rights are wrongly abridged. Taking these steps is necessary to ensure that those who have served their prison sentences are able to successfully rejoin their communities and exercise their rights as citizens.

V. The Democracy Restoration Act of 2009 and Congressional Authority

Congressional action is needed to establish a federal standard that restores voting rights in federal elections to the millions of Americans who are living in the community, but continue to be denied the ability to fully participate in civic life. In July 2009, Senator Russell Feingold and Representative John Conyers introduced the Democracy Restoration Act of 2009 (S. 1516/H.R. 3335).³³ This Act would restore voting rights in federal elections to nearly 4 million Americans who have been released from prison; ensure that probationers never lose their right to vote in

²⁷ COLO. REV. STAT. §§ 1-2-103, 1-2-606 (2007); *see also* WOOD & BLOOM, *supra* note 3, at 3.

²⁸ *See* WOOD & BLOOM, *supra* note 3, at 3.

²⁹ *See id.*

³⁰ *See id.*

³¹ *See id.*

³² *See* H.R. 3335, 111th Cong. (2009); S. 1516, 111th Cong. (2009).

³³ *See id.*

federal elections; and notify people about their right to vote in federal elections when they are leaving prison, sentenced to probation, or convicted of a misdemeanor.

If enacted, the Democracy Restoration Act would strengthen our democracy by creating a broader and more just base of voter participation. It would also aid law enforcement by encouraging participation in civic life, assisting reintegration, and rebuilding ties to the community. The uniform federal standard in the bill would eliminate the confusion that leads to *de facto* disfranchisement by providing a bright line for election administration. This would, in turn, streamline voter registration, and significantly reduce the opportunity for erroneous purges of eligible voters.

Congress' constitutional authority to enact the Democracy Restoration Act is twofold: (1) the Election Clause of Article I, Section 4; and (2) Congress' enforcement powers under the Fourteenth and Fifteenth Amendments.

Under the Elections Clause in Article I, Section 4, Congress has broad authority to regulate federal elections.³⁴ This clause has consistently been read by the Supreme Court as providing Congress with the authority to regulate voting requirements, including voter eligibility, for federal elections.³⁵ Congress also has authority under Section 5 of the Fourteenth Amendment and section 2 of the Fifteenth Amendment, both of which provide Congress with broad authority to enforce these respective amendments "by appropriate legislation."³⁶ Because the right to vote free of racial discrimination is a fundamental right protected by the Fourteenth and Fifteenth amendments, Congress is granted a "wide berth"³⁷ of authority to ensure that long-standing patterns of racial discrimination will no longer impinge on Americans' right to vote.

Opponents of the Democracy Restoration Act may argue that Congress is not constitutionally empowered to regulate the qualifications for voters in federal elections because, they assert, that the Qualifications Clauses found in Article I and in the Seventeenth Amendment³⁸ restrict Congress' power to alter electors' qualifications beyond those provided by the states. However, these clauses merely provide that in federal elections "the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature."³⁹ As the Supreme Court found in *Tashjian v. Republican Party*,⁴⁰ the Qualifications Clauses do not limit Congress' power to regulate qualifications; rather these clauses were intended to ensure that "'anyone who is permitted to vote in the most numerous branch of the state legislature has to be permitted to vote' in federal legislative elections."⁴¹ Thus, the Qualifications Clauses cannot be read as a requirement that federal elections qualifications be the same as those of the states.

³⁴ "The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; *but the Congress may at any time by Law make or alter such Regulations*, except as the Place of chusing Senators." U.S. CONST. art I, § 4 (emphasis added).

³⁵ See, e.g., *Kusper v. Pontikes*, 414 U.S. 51, 57 n.11 (1973); *Oregon v. Mitchell*, 400 U.S. 112, 121, 124 (1970).

³⁶ U.S. CONST. amends. XIV, § 5, XV § 2.

³⁷ *Tennessee v. Lane*, 541 U.S. 509, 518, 520 (2004).

³⁸ U.S. CONST. art. I, § 2, cl. 1; U.S. CONST. amend. XVII.

³⁹ U.S. CONST. art. I, § 2, cl. 1; U.S. CONST. amend. XVII.

⁴⁰ 479 U.S. 208 (1986).

⁴¹ *Id.* at 226 (quoting *Republican Party of Conn. v. Tashjian*, 770 F.2d 265, 274 (2d Cir. 1985) (Oakes, J., concurring)).

VI. Bipartisan Support for Reforming Disfranchisement Laws

Support for restoring voting rights to people who are released from prison is growing among a diverse group of organizations, leaders, and politicians. Several law enforcement officials,⁴² members of the faith community,⁴³ and civil rights and legal organizations,⁴⁴ have spoken out against criminal disfranchisement. There is also growing recognition among conservatives that criminal disfranchisement laws run contrary to our democratic ideals.

Republicans and Democrats alike have supported important voting rights restoration laws, recognizing that restoring the right to vote is an issue of democracy, not politics. These state and local officials have seen that felony disfranchisement impedes the rehabilitation of persons with criminal convictions, and have worked to reform their laws accordingly. While at the federal level, voting rights reforms are often cast as partisan, evidence at the state level tells a different story. From 1997 to 2009, 16 Republican governors signed legislation or approved easing the restoration process.⁴⁵ Some important examples of these reforms include:

- **Texas:** In 1997, then-Governor George W. Bush, signed legislation that eliminated the two-year waiting period after completion of sentence before individuals could regain their right to vote.⁴⁶
- **New Mexico:** In 2001, then-Governor Gary Johnson, signed legislation repealing the lifetime ban on voting for people with felony convictions, restoring the right to people upon completion of sentence.⁴⁷

⁴² See Law Enforcement Sign-On Letter in Support of the Democracy Restoration Act (S.1516/H.R. 3335), <http://www.brennancenter.org/page/-/Democracy/DRA%20-%20Law%20Enforcement%20CJ%20Sign%20on%20Letter%20FINAL.pdf> (last visited Mar. 5, 2010).

⁴³ See Religious Leaders Sign-On Letter in Support of the Democracy Restoration Act (S.1516/H.R. 3335), <http://www.brennancenter.org/page/-/Democracy/DRA%20-%20Faith%20Group%20Letter%20FINAL.pdf> (last visited Mar. 5, 2010).

⁴⁴ See Civil Rights and Legal Advocacy Group Sign On-Letter Support of the Democracy Restoration Act (S.1516/H.R. 3335), <https://www.aclu.org/voting-rights/civil-rights-and-legal-advocacy-group-sign-letter-support-democracy-restoration-act-s1> (last visited Mar. 5, 2010).

⁴⁵ See AMERICAN CIVIL LIBERTIES UNION, BREAKING BARRIERS TO THE BALLOT BOX: FELON ENFRANCHISEMENT TOOLKIT 33 (2008), http://www.aclu.org/pdfs/votingrights/righttovote_20080125.pdf (detailing actions in states with Republican governors: Gov. George W. Bush (Texas, 1997), Gov. John Rowland (Connecticut, 2001), Gov. Gary Johnson (New Mexico, 2001), Gov. Kenny Guinn (Nevada, 2001 and 2003), Gov. Charlie Crist (Florida, 2007)); Ryan S. King, *Expanding the Vote, State Felony Disenfranchisement Reform, 1997-2008*, THE SENTENCING PROJECT, at 1 (2008), available at http://www.sentencingproject.org/doc/publications/fd_statedisenfranchisement.pdf (detailing actions in states with Republican governors: Gov. Jim Gilmore (Virginia, 2000), Gov. Jeb Bush (Florida, 2004 and 2006), Gov. M. Jodi Rell (Connecticut, 2005), Gov. Linda Lingle (Hawaii, 2006), Gov. John Huntsman (Utah, 2006), and Gov. Bobby Jindal (Louisiana, 2008). See also 2002 Neb. Laws, L.B. 1054 (signed by Gov. Mike Johanns); La. Acts 2003, Act 856 (signed by Gov. Murphy J. Foster); 2004 Idaho Sess. Laws, Chap. 166 (signed by Gov. Dirk Kempthorne); 2005 S.D. Laws, Chap. 89 (signed by Gov. M. Michael Rounds); 2009 Nev. Stats., Chap. 211 (signed by Gov. Jim Gibbons).

⁴⁶ Governor George W. Bush signed Texas HB 1011, “Relating to eligibility requirements for voting by persons convicted of a felony” on June 18, 1997. See <http://www.capitol.state.tx.us/BillLookup/History.aspx?LegSess=75R&Bill=HB1001>.

⁴⁷ Governor Johnson signed New Mexico SB 204 “A bill to restore voting rights” on March 15, 2001. See http://legis.state.nm.us/lcs/_session.aspx?Chamber=S&LegType=B&LegNo=204&year=01.

- **Connecticut:** In 2001, then-Governor John Rowland signed legislation extending voting rights to people on probation.⁴⁸
- **Florida:** In 2004, then-Governor Jeb Bush amended the Rules of Executive Clemency to expedite the voting restoration process. In 2006, Governor Bush signed a bill requiring that individuals in prison be provided with rights restoration application information at least two weeks before their release dates. In 2007, Governor Charlie Crist simplified the rights restoration process for persons convicted of certain offenses, who are no longer required to submit to hearings before the Clemency Board.⁴⁹ Governor Crist noted:

If we believe people have paid their debt to society, then that debt should be considered paid in full, and their civil rights should in fact be restored. By granting ex-offenders the opportunity to participate in the democratic process, we restore their ability to be gainfully employed, as well as their dignity.⁵⁰

- **Louisiana:** In 2008, Governor Bobby Jindal signed legislation requiring the Department of Public Safety and Corrections to notify people leaving its supervision about how to regain their voting rights and to provide these individuals with voter registration applications.⁵¹

These reforms indicate a general recognition that restoration of voting rights is not a partisan issue, but one that is of special importance to our democracy and to successful reintegration. In order to achieve suffrage for all American citizens, action at the federal level, through passage of the Democracy Restoration Act, is necessary.

VII. Conclusion

As the Supreme Court has said, “[n]o right is more precious in a free country than that of having a voice in the election of those who make the laws under which, as good citizens, we must live. Other rights, even the most basic, are illusory if the right to vote is undermined.”⁵² It is time to restore the most precious of civil rights that has been denied far too long to far too many of our citizens. To redress this injustice and give political voice to millions of American citizens, we urge Congress to pass the Democracy Restoration Act.

⁴⁸ Governor Rowland signed Connecticut HB No. 5042 on May 4, 2001. *See* http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=5042&which_year=2001&SUBMIT1.x=16&SUBMIT1.y=11&SUBMIT1=Normal.

⁴⁹ Governor Jeb Bush signed HB 55, “Relating to restoration of civil rights” on June 12, 2006. *See* http://www.flsenate.gov/session/index.cfm?BI_Mode=ViewBillInfo&Mode=Bills&ElementID=JumpToBox&SubMenu=1&Year=2006&billnum=55; *see also* Rules of Executive Clemency, revised April 4, 2007, <https://fpc.state.fl.us/Policies/ExecClemency/ROEC04052007.pdf>.

⁵⁰ Press Release from Florida Governor Charlie Crist, April 5, 2007, *available at* <http://www.flgov.com/release/8776>.

⁵¹ Governor Jindal signed HB 1011 on June 30, 2008. *See* <http://www.legis.state.la.us/> (search HB 1011 in 2008 Regular Session).

⁵² *Wesberry v. Sanders*, 376 U.S. 1, 17 (1964).