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Details:

(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2009-10

(session year)

Senate

(Assembly, Senate or Joint)

Committee on ... Labor, Elections, and Urban Affairs (SC-LEUA)

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

Senate

Record of Committee Proceedings

Committee on Labor, Elections and Urban Affairs

Senate Bill 240

Relating to: restoring the right to vote to certain persons barred from voting as a result of a felony conviction and changing the information required on voter registration forms.

By Senators Taylor, Miller, Coggs and Risser; cosponsored by Representatives Grigsby, Schneider, Parisi, Young, Pasch, Roys, Hilgenberg, Black, Pocan, Turner, Fields, Kessler, Berceau, A. Williams, Toles and Sinicki.

July 21, 2009 Referred to Committee on Labor, Elections and Urban Affairs.

October 13, 2009 **PUBLIC HEARING HELD**

Present: (5) Senators Coggs, Wirsch, Lehman, A. Lasee and Grothman.

Absent: (0) None.

Appearances For

- Lena Taylor — Senator
- Scott Ross — Institute for One Wisconsin
- DuJuan Walker
- Alicia Boehme — Disability Rights Wisconsin
- Keith Fair — Racine NAACP
- Craig Oliver — Racine NAACP
- Brenda Ward — National Assn. of Social Workers, WI Chapter
- Darlene Wellner — League of Women Voters & Salvation Army
- Kristin Schroeder
- Frank Van den Bosch — Wisconsin Prison Watch
- Kathleen Hart — WI-CURE
- Peggy Swan
- Ronald Solinger
- Renee Crawford — ACLU

Appearances Against

- None.

Appearances for Information Only

- Kevin Kennedy — Government Accountability Board

Registrations For

- John Walters — Voices Beyond Bars
- Beverly Speer — Wisconsin Democracy Campaign
- Joel Gratz
- Paul Malischke
- Steve Porter — State Bar, IRR Section
- Bill Christofferson
- Chamomile Nusz
- Jim Draeger — Wisconsin Network for Peace & Justice
- Judy Miner — Wisconsin Network for Peace & Justice
- Marc Herstand — National Assn. of Social Workers, WI Chapter
- Nancy Slattery — League of Women Voters
- Magda Kmiecik
- Jill Groblewski
- Marilyn Sontag — Salvation Army
- Rebecca Chain
- Stacy Harbaugh — ACLU
- Mary Beth Schlagheck — Wisconsin Network for Peace & Justice

Registrations Against

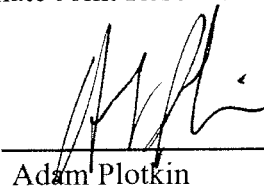
- J.B. Van Hollen — Attorney General, Department of Justice

Registrations for Information Only

- None.

April 22, 2010

Failed to pass pursuant to Senate Joint Resolution 1.



Adam Plotkin
Committee Clerk

Plotkin, Adam

From: akaminskilwv@gmail.com on behalf of Andrea Kaminski [kaminski@lwvwi.org]
Sent: Monday, October 12, 2009 2:01 PM
To: Sen.Coggs; Sen.Wirch; Sen.Lehman; Sen.Lasee; Sen.Grothman
Subject: from League of Women Voters - support SB 240
Attachments: Support SB 240.pdf

Please see the statement attached and below for Tuesday's public hearing for SB 240 by the Senate Committee on Labor, Elections and Urban Affairs. Thank you.

--

Andrea Kaminski, Executive Director
League of Women Voters of WI Education Fund
(608) 256-0827

October 13, 2009

To: Senate Committee on Labor, Elections and Urban Affairs

Re: Support SB 240 – restoring the right to vote for felons reintegrating into society

The League of Women Voters of Wisconsin wholeheartedly welcomes this legislation to restore the voting rights of citizens with felon status as they reintegrate into society. The League historically has held that the right to vote and the expansion of the electorate should be supported, encouraged and defended. Women were denied the right to vote until a mere 89 years ago in the United States. Black citizens were blocked from voting in parts of the country until much later. Thankfully such injustices have been corrected.

Currently, felons in Wisconsin may vote only after completing all terms of their sentence, including probation and parole. This means that citizens who live, work and pay taxes in the community are regularly denied their right to contribute to the decisions of their government.

Felons who have served their sentences are released to the community and given the responsibility of reintegrating into society. Vot

As election workers and poll watchers, League members know firsthand the difficulty and expense of enforcing Wisconsin's prohibition on voting. Voter registration lists must be double checked against lists of people on probation or parole. That list changes daily. From a practical standpoint, allowing non-incarcerated felons the right to vote would reduce Election Day confusion. If a citizen is living in the community, he or she is not ineligible to vote because of a felony conviction. Why not make the poll workers' job less complicated and offer felons this opportunity to participate and reintegrate into society?

10/12/2009

Wisconsin's incarceration statistics reveal that barring felons who have served their debt to society from voting means less representation for minority populations, particularly African American men. As long as our justice system is more likely to convict and sentence certain people based on race, it is unfair to tie voting rights to felon status. Restoring voting rights upon release from incarceration would mean better representation of our population in our elections and better integration of felons back into the community.

In the past several years 18 states have reformed their laws or policies to reduce barriers to voting for people with criminal convictions. It is time our state thought more in terms of rehabilitation rather than simply punishment of offenders. We urge you to support SB 240.



**LEAGUE OF WOMEN VOTERS® OF WISCONSIN
EDUCATION FUND**

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October 13, 2009

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Felons who have served their sentences are released to the community and given the responsibility of reintegrating into society. Voting is part of responsible citizenship. It is an act that engages citizens in their community and their government and provides them with representation. There is no credible evidence showing that continuing to disenfranchise people after release from prison serves any legitimate law enforcement purpose. Restoring an non-incarcerated felon's right to vote is not a threat to the safety of the community but rather a positive involvement that should be encouraged.

As election workers and poll watchers, League members know firsthand the difficulty and expense of enforcing Wisconsin's prohibition on voting. Voter registration lists must be double checked against lists of people on probation or parole. That list changes daily. From a practical standpoint, allowing non-incarcerated felons the right to vote would reduce Election Day confusion. If a citizen is living in the community, he or she is not ineligible to vote because of a felony conviction. Why not make the poll workers' job less complicated and offer felons this opportunity to participate and reintegrate into society?

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LENA C. TAYLOR

Wisconsin State Senator • 4th District

HERE TO SERVE YOU!

Testimony of Senator Lena C Taylor SB 240 – Wisconsin Democracy Restoration Act Senate Committee on Labor, Elections, & Urban Affairs Tuesday, October 13, 2009

"The vote is the most powerful instrument ever devised by man for breaking down injustice and destroying the terrible walls which imprison men because they are different from other men."

-- Lyndon B. Johnson

Honorable Chairman Coggs and members,

Thank you for taking testimony today on SB 240, the Wisconsin Democracy Restoration Act. I am pleased to join my Assembly colleague, Rep. Tamara Grigsby (D-Milwaukee) and members of the Restore the Vote WI/NOW coalition in offering our support of this timely, needed, and important legislation. We join together today to make a simple statement that men and women who are released from incarceration should not, must not, be considered differently from others and be given the right to vote – a right that this nation holds dear.

The Wisconsin Democracy Restoration Act is designed to enfranchise over 42,000 taxpaying Wisconsin citizens who have been deemed safe to return to society by our system of reintegration and live throughout the state of Wisconsin. The bill will restore the right to vote those who are on probation or parole. The act provides that a person may not be denied the right to vote unless the person is incarcerated. Further, the bill builds in training for the Department of Corrections, the Courts, and the Government Accountability Board to ensure that the right to vote is not impeded without absolute authority of the law.

To be clear, this bill is not designed to diminish public safety.

Restricting voting rights does not prevent crime, nor does it provide compensation to victims. In fact recent research finds a link between allowing ex-offenders to fully participate in society by voting and the probability of reoffense; people who voted after release from supervision were half as likely to be re-arrested as those who did not vote. The act of voting demonstrates an individual's commitment to the institutions of American democracy and society and should be encouraged. It is helpful to remember that the affected persons *have been released* from incarceration.

In addition, like many of us, probationers and parolees live in their community, work, pay taxes, go to school and raise their families as they reintegrate into society, and yet, they may not be able to vote for 6 months, or longer under Wisconsin's current laws.

- over -

Imagine with me, knocking on the door of a 40 year old white man, who has been convicted of felony drunk driving, who has served his time, is now on extended supervision, has sobered up, and is paying his taxes and raising his family. Can you imagine what you would say to that person when you ask for their vote in an election?

Wisconsin is not alone in pursuing this change. Since 1997, 18 states have made progressive changes to their ex-offender disenfranchisement laws, including our neighboring states of Illinois, Indiana, Iowa, Michigan, and Ohio. These states have found that the simple act of voting makes ex-offenders more connected to their communities and is an important step toward their rehabilitation. On the federal level, Senator Russ Feingold has introduced a federal companion piece of legislation to mirror the action we are taking here today.

More than 70 Wisconsin organizations have joined the Restore the Vote WI/NOW coalition in support of the restoration of voting rights for individuals upon release of incarceration including: Milwaukee County Labor Council/AFL-CIO, the League of Women Voters of Wisconsin, the American Civil Liberties Union of Wisconsin, Lakeside Peacemakers of Manitowoc, the NAACP of Wisconsin, Madison Area Urban Ministries, Community Connections, League of Martin, Disability Rights Wisconsin, Project Return, Wisconsin Network for Peace and Justice, and many other faith, labor and community organizations representing tens of thousands of voting Wisconsin citizens statewide.

It is my hope that this committee can see the great enfranchising effect this legislation will have on the people of Wisconsin. ***The right to vote should not be restricted unless one is incarcerated.*** I encourage your support of this bill and will answer questions that you may have.

Thank you.



Senate Committee on Labor, Elections and Urban Affairs

2009 Senate Bill 240

Testimony of Kevin J. Kennedy
Director and General Counsel
Government Accountability Board
October 13, 2009

Chairperson Coggs and Committee Members:

Thank you for the opportunity to appear before this committee and testify regarding Senate Bill 240. This testimony is for information purposes only. The Government Accountability Board does not take a position in support of or opposition to the legislation.

This legislation restores the right to vote to certain persons barred from voting as a result of a felony conviction, and changes the information required on voter registration forms. The ban on felon voting is currently codified in Section 6.03(1)(b) Wis. Stats., which provides that “(a)ny person convicted of treason, felony or bribery, unless the person's right to vote is restored through a pardon or under s. 304.078” shall not be allowed to vote. Voting rights are restored under Sections 304.078(2) and 304.078(3). To ensure that convicted felons do not vote, Section 301.03(20m) requires that the Department of Corrections transmit to the Government Accountability Board a list of each living person who has been convicted of a felony under the laws of this state and whose civil rights have not been restored, together with his or her residential address and the date on which the department expects his or her civil rights to be restored. As required by Sections 6.29(2)(am) and 6.55(2)(cs), the G.A.B. then distributes the lists of ineligible persons to each of the 72 counties, which in turn distribute them to the state's 1,850 municipalities, which distribute the lists to each polling place.

Senate Bill 240 would not create any significant fiscal impact on the G.A.B. because of the continued requirement to provide lists of ineligible voters to local election officials. Printing and distribution of the ineligible voter list costs approximately \$13,000 per election. Felon list coordination costs DET approximately \$1,560 per election.

The proposed legislation requires the G.A.B. to provide training on the changes to voting rights at least 60 days before the first election that follows the effective date of the legislation. In addition, the G.A.B. 131 Voter Registration Form would need to be revised. A one-time cost of \$1,100 for approximately 40 hours of work would be incurred for G.A.B. staff to revise the G.A.B. 131 form, develop training materials, update manuals and post the materials to the G.A.B. web site. Additionally, a one-time cost of \$400 would be incurred for four Wisline training sessions for Municipal Clerks and Chief Inspectors, at approximately \$100 each. Other future costs would be included in the current Municipal Clerk, Election Inspector and Special Registration Deputy training provided by the G.A.B. It would be difficult to calculate what the specific costs would be.

Municipal and County clerks would be required to provide sufficient forms to meet voter registration needs. The City of Milwaukee estimates a cost of \$2,000 to print updated voter registration forms. Other county and municipal clerks projected lower costs to provide updated forms.

The legislature may wish to consider revising Senate Bill 240 eliminate the requirement for the G.A.B. to provide local clerks with a list of ineligible voters, since the only ineligible voters left on the list would be those who are currently incarcerated, and it is unlikely any of them who escaped incarceration would show up at a polling place in order to vote.

While the Government Accountability Board has not taken a position on felon re-enfranchisement, I personally have been an advocate for many years. Twenty states and the District of Columbia are less restrictive than the state of Wisconsin, and national trends generally favor streamlining restoration and expanding voting rights for people convicted of crimes. Nineteen states have taken steps to restore felons' voting rights in some way since 1997.

I appreciate your consideration of these issues with regard to this bill and will answer any questions you may have at this time.

Thank you.

Kevin J. Kennedy
Director and General Counsel
Government Accountability Board
(608) 266-8005
Kevin.Kennedy@wi.gov





Tuesday, October 13, 2009

SB 240?

INSTITUTE FOR ONE WISCONSIN TESTIMONY
SENATE COMMITTEE ON LABOR, ELECTIONS AND URBAN AFFAIRS

Committee Members:

My name is Scot Ross and I am the executive director of the Institute for One Wisconsin. I want to thank you for the opportunity to speak in support of legislation which will restore voting rights to ex-offenders who are still on parole or probation for felony offenses.

At the Institute for One Wisconsin, a progressive non-partisan, non-profit, we are committed to ensuring Wisconsinites have unfettered access to that most sacred right – the right to vote. We host a website www.ProtectWisconsinsVote.org and this fall we will host the second annual Protect Wisconsin's Vote Education Summit.

We are taught from childhood it is our civil duty, our responsibility, to participate in this grand experiment of self-governance – most importantly, by casting our ballot in the voting booth. Stated simply, I cannot understand why we would discourage an ex-offender from fully-reintegrating into society. The more an ex-offender is invested in his or her community, the more likely he or she will not re-offend. The more isolated and ostracized an ex-offender is, the more likely he or she will re-offend. Does anyone disagree that the more invested an ex-offender becomes in his or her community, the less likely he or she is to re-offend?

So, what's the point?

Our "tough on crime" laws have created much longer out-of-prison supervisions. For years, perhaps decades, a Wisconsinite may live in the community after release from prison, have a job, pay the bills, meet family obligations, but be denied the right to vote. Some for life.

Get out of prison.

Get a job

Pay your bills.

Pay your taxes.

Be a good citizen.

But don't vote – or we'll put you back in prison.

So, what's the point?

This makes no sense – unless there is a political motivation behind denying the right to vote to members of the population. Wisconsin has an estimated **38,000 citizens** who are currently living in our communities who remain disenfranchised.

So, committee members ask yourself this question about denying ex-offenders the right to vote when they are released from prison: What's the point?

(more)



I think we can all agree, the threat of losing one's franchise is absolutely no deterrence prior to someone committing a felony. The disenfranchisement that continues once a felon still on parole or probation is unwarranted and it's to our detriment as a people. Our society is not weakened, it is strengthened by increased voter participation – and in this instance, the punishment won't stop the crime. What possible societal good comes from denying ex-offenders who we are reintegrating into society the right to vote?

So, what's the point?

Regrettably, this is one of the lingering remains of the racism of this country's immediate past.

Our state's focus on punishment instead of prevention has filled Wisconsin's prisons. From 1990 to 2000, corrections spending in Wisconsin increased 550 percent – more than double the second-ranking state.

And our prisons are disproportionately filled with young, African American men. Wisconsin's African American population is six percent. African Americans make up 50 percent of our prison population.

So, what's the point?

Felony disenfranchisement is simply another form of discrimination and racism. In spite of a number of collective triumphs to right the wrongs inflicted by whites against non-whites, when it comes to voting rights, as a state, we are forgetting, and worse ignoring, the struggle African Americans have had beyond all others in attempting to exercise the sacred right to vote in the United States.

Literacy tests.

Poll taxes.

Grandfather clauses.

Whites-only primaries.

What's the point?

All of these noxious prohibitions were created specifically to dehumanize and negate the citizenship of African Americans. These laws were in response to changing American law which no longer allowed African Americans to be characterized as property, as 3/5ths of a human being. How can we see this disenfranchisement as nothing less than a modern negation of citizenship?

If we truly believe in our bill of rights and the Eighth Amendment's prohibition against "excessive' sanctions," then continuing to take away this most the basic tenet of liberty from a population so disproportionately incarcerated can only be seen for the ugly truth.

You might find it as ironic as I do that the extremely rare instances of ex-felons who have not been reinfranchised improperly voting is among the biggest weapons used by some to claim the need for restrictive voter ID laws and an end to same day voter registration. Laws that would restrict the right to vote, that target urban areas of the state where a majority of the state's African-American population live.

I note the Attorney General has called for investigations of voter registration urban voting precincts and put it on campaign literature, while ignoring allegations of voter suppression efforts in these same wards.

Is this the point?

I thank the committee for its time and its willingness to consider ending this un-American, un-democratic law.



Restore the Vote WI NOW! Coalition

A Project of the
ACLU of Wisconsin



207 E. Buffalo Street, #325, Milwaukee, WI 53202-5774

MEDIA RELEASE

SB 240?

For Immediate Release: October 13, 2009

Contact: Renee Crawford, Associate Director, ACLU of Wisconsin,
rcrawford@restorethevotewi.org, 414-331-8907

***Restore the Vote Wisconsin NOW! Coalition Urges State Senate to Approve
Wisconsin Democracy Restoration Act***

The bill Ends the Un-American Practice of Taxation without Representation in Wisconsin

MILWAUKEE – At the state Senate Committee on Labor, Elections and Urban Affairs on Tuesday, October 13, the Restore the Vote Wisconsin NOW! Coalition members will be testifying in support of an important voting rights bill. The Wisconsin Democracy Restoration Act will enfranchise more than 42,000 Wisconsin citizens who live, work, go to school, raise families and pay taxes in our communities.

Renee Crawford, Associate Director of the ACLU of Wisconsin said, “When the Wisconsin Democracy Restoration Act sees a floor vote, we hope the Wisconsin legislature will put partisanship aside and cast a vote for democracy. After then Texas Governor George W. Bush enfranchised ex-felons in 1997, bipartisan efforts to advance voting rights were successful in 20 states all across the country, 15 of which were led by Republican Governors. The Wisconsin Democracy Restoration Act is good for everyone involved in the political process.”

The bill is gaining momentum in the legislature after a four-hour long hearing in the state Assembly on August 27th when nearly 70 bill supporters, voting rights advocates and experts on the criminal justice system testified or registered in favor of the bill. Testimonies outlined how voting rights and laws are impacted by Wisconsin’s disproportionate minority incarceration rate and other institutionalized bias.

The RTV-WIN coalition is a group of over 70 organizations who have committed to public education and direct action to restore the right to vote in Wisconsin. Nationally, voting rights for people with felony convictions are being restored on a bipartisan basis as state legislatures and governors increasingly recognize the discriminatory implications of denying any US citizen voting rights. In Wisconsin, the Restore the Vote Wisconsin NOW! (RTV-WIN!) coalition has brought together citizens, civil rights, law enforcement, labor, faith and community organizations groups committed to working for fairness and the fundamentally American right and responsibility to cast a ballot.

Restore the Vote WI **NOW!** Coalition

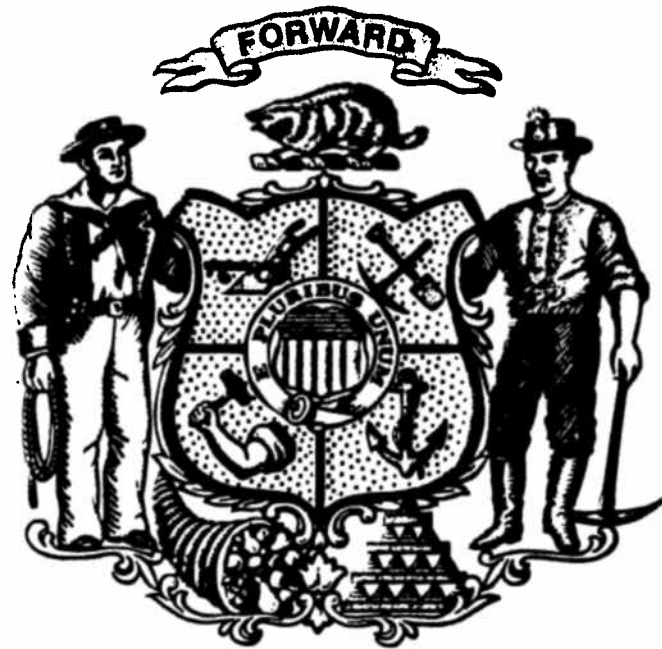
A Project of the
ACLU of Wisconsin



For more info on the RTV-WIN Coalition including a list of the more than 70 organizations who have signed onto the coalition, go to www.restorethevotewi.org. Updates about the work of the ACLU of Wisconsin can be found on the Cap City Liberty blog at <http://capcityliberty.blogspot.com/> or on the ACLU of Wisconsin homepage at <http://www.aclu-wi.org/>. For more information about the work of the ACLU to restore voting rights to ex-offenders, please visit <http://www.aclu.org/votingrights/exoffenders/index.html>.

The ACLU of Wisconsin is a membership organization devoted to the defense and promotion of civil liberties and rights for all Wisconsin residents.

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To: Senator Spencer Coggs, Chair and Senators Robert Wirth, John Lehman, Alan Lasee, and Glenn Grothman of the Senate Committee on Labor, Elections and Urban Affairs

From: Alicia Boehme, Disability Rights Wisconsin

Date: October 13, 2009

Subject: Senate Bill 240: Restoring the right to vote of ex-offenders

Disability Rights Wisconsin (DRW) is in strong support of Senate Bill 240, 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 SB 240



TESTIMONY SUBMITTED BY BRENDA WARD, PRESIDENT, NATIONAL ASSOCIATION OF SOCIAL WORKERS, WISCONSIN CHAPTER, IN SUPPORT OF SENATE BILL 240, BEFORE THE SENATE COMMITTEE ON LABOR, ELECTIONS AND URBAN AFFAIRS ON OCTOBER 13, 2009

The Social Work profession has historically helped families overcome barriers that reach beyond the psychological. By paying attention to “individual in the environment”, social workers pay attention and work to change the environmental and cultural forces that create, contribute to and address problems of living.

Returning prisoners face enormous environmental and cultural barriers including lack of an employment or credit history, lack of financial or family support resources, resistance from employers to hiring ex convicts, mental health and substance abuse challenges, lack of employable skills and low levels of education.

To reduce recidivism we need to assist returning prisoners to access support services that exist that will help them make a successful reentry into society. We also need to recognize and work to change those barriers in resources, attitudes and policy in our community, state and nation that make it so difficult for returning prisoners to reintegrate into society.

One of those policies that needs to be changed is the prohibition on voting for returning prisoners until they have completed their probation or parole.

Part of a successful reentry into society involves empowering these returning prisoners to make a life for themselves and integrate themselves in the community.

One very powerful way for self-empowerment and community integration is involvement in the community, of which the most basic level is the ability to vote. Restoring the right to vote for individuals newly released from prison would help empower ex offenders to take an active and positive in their community and society and therefore greatly improve the likelihood that their reintegration would be successful. Indeed as the ACLU Wisconsin documented on their website (<http://www.aclu-wi.org>), a book by Christopher Uggen and Jeff Manza entitled, Locked Out: Felon Disfranchisement and American Democracy showed an inverse link between voting participation and re-offense-those who voted were less likely to reoffend than those who did not vote.

Finally restoring the right to vote for ex offenders on probation and parole would address the current racial impact of this current disfranchisement on voting. As documented by the Wisconsin Chapter of the ACLU, one in nine African-American voters is disfranchised in Wisconsin, compared to one in fifty of all Wisconsin voters. African Americans and other communities of color are disproportionately represented in the criminal justice system and therefore disproportionately affected by this policy denying newly released prisoners on probation or parole the right to vote.

Please vote to support Senate Bill 240.





**LEAGUE OF WOMEN VOTERS® OF WISCONSIN
EDUCATION FUND**

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lwvwisconsin@lwvwi.org

October 13, 2009

To: Senate Committee on Labor, Elections and Urban Affairs

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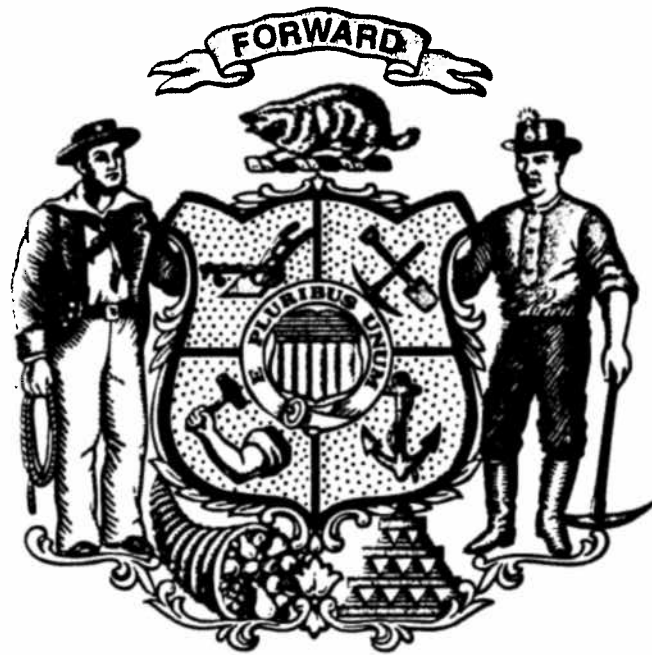
Currently, felons in Wisconsin may vote only after completing all terms of their sentence, including probation and parole. This means that citizens who live, work and pay taxes in the community are regularly denied their right to contribute to the decisions of their government.

Felons who have served their sentences are released to the community and given the responsibility of reintegrating into society. Voting is part of responsible citizenship. It is an act that engages citizens in their community and their government and provides them with representation. There is no credible evidence showing that continuing to disenfranchise people after release from prison serves any legitimate law enforcement purpose. Restoring an non-incarcerated felon's right to vote is not a threat to the safety of the community but rather a positive involvement that should be encouraged.

As election workers and poll watchers, League members know firsthand the difficulty and expense of enforcing Wisconsin's prohibition on voting. Voter registration lists must be double checked against lists of people on probation or parole. That list changes daily. From a practical standpoint, allowing non-incarcerated felons the right to vote would reduce Election Day confusion. If a citizen is living in the community, he or she is not ineligible to vote because of a felony conviction. Why not make the poll workers' job less complicated and offer felons this opportunity to participate and reintegrate into society?

Wisconsin's incarceration statistics reveal that barring felons who have served their debt to society from voting means less representation for minority populations, particularly African American men. As long as our justice system is more likely to convict and sentence certain people based on race, it is unfair to tie voting rights to felon status. Restoring voting rights upon release from incarceration would mean better representation of our population in our elections and better integration of felons back into the community.

In the past several years 18 states have reformed their laws or policies to reduce barriers to voting for people with criminal convictions. It is time our state thought more in terms of rehabilitation rather than simply punishment of offenders. We urge you to support SB 240.





STATE OF WISCONSIN
DEPARTMENT OF JUSTICE

J.B. VAN HOLLEN
ATTORNEY GENERAL

Raymond P. Taffora
Deputy Attorney General

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Madison, WI 53707-7857
608/266-1221
TTY 1-800-947-3529

TO: Members, Senate Committee on Labor, Elections and Urban Affairs

FR: Attorney General J.B. Van Hollen

DT: October 13, 2009

RE: Testimony Opposing 2009 SB 240, Relating to Expanding Voting by Felons

We all value our freedom. And we cherish our civil rights, such as the right to vote. Our freedoms and rights, however, are not absolute. Freedoms and rights carry with them responsibilities, and the minimum responsibility is that we do not transgress the rights of others. The clearest and most severe transgression is when an individual chooses to commit a felony.

In committing a felony, offenders perform what society, through law, classifies as the most severe breach of the social compact. Committing a felony is so serious that society deems it appropriate to deprive felons of their liberty. We do so because were we to allow individuals to lawlessly deprive law-abiding citizens of their rights and liberties, we would lose our society altogether.

As a consequence of the serious nature of a felony, under current law, Wisconsin joins the majority of states in prohibiting a felon who is still serving his or her sentence from voting.¹ Not only does the deprivation of this significant political liberty serve as punishment, it sends a strong and clear message that strikes at the heart of our democracy: so long as a felon is serving time for undermining the social compact, he or she may not participate in the political process by exercising the right to vote. Society can send no stronger message of condemnation of a criminal act. Until a felon's debt to society is paid and he or she demonstrates the ability to reintegrate into society by successfully completing extended supervision, the right to vote is appropriately limited – as is the felon's liberty.

As written, a convicted felon may vote under SB 240 unless the felon is "incarcerated". Technical questions of actual custody status (i.e. probation/parole/extended supervision holds, inmates with Huber privileges, inmates incarcerated under electronic monitoring) arise. As a result, election officials will be challenged in efforts to establish and verify an offender's custody status. The bill increases responsibilities, and undoubtedly cost to taxpayers, on law enforcement, the courts, and voting officials while creating greater ease for felons serving their sentences to cast ballots.

The opportunity for voter fraud is enhanced.

Of great concern is that sentences of felons are diminished by this bill bringing further harm to the victims of their criminal acts as well as the general public for which these sentences are imposed to protect.

I oppose and respectfully encourage this Committee to oppose 2009 Senate Bill 240.

¹ As of a year ago, in 12 of these states, a felon's right to vote is never restored.



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TO: Senator Spencer Coggs, Chair
Committee on Labor, Elections, and Urban Affairs
411 South
State Capitol
Madison, Wisconsin

FR: The Wisconsin Network for Peace and Justice

DA: October 13, 2009

RE: Passage of Senate Bill 240

The Wisconsin Network for Peace and Justice (WNPJ) is a state-wide organization made up of more than 160 member organizations. We are delighted to take this opportunity to speak out on behalf of Senate Bill 240.

Senate Bill 240 seeks to restore the right to vote to certain persons barred from voting as a result of a felony conviction and changing the information required on voter registration forms.

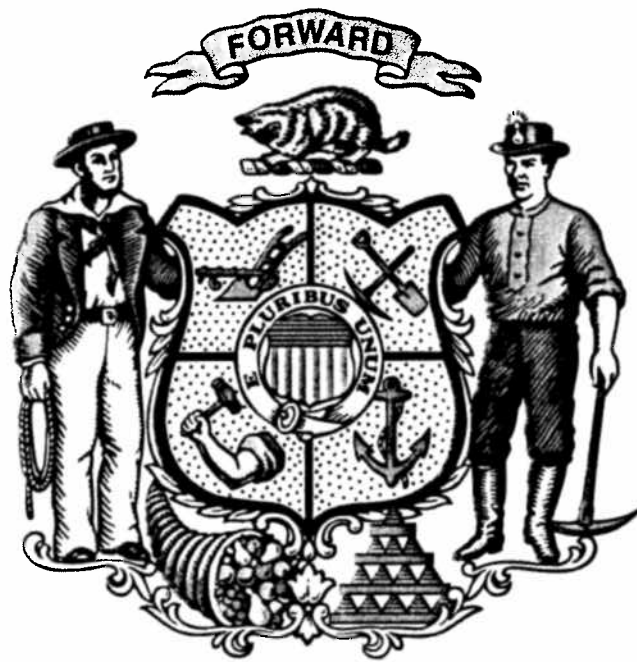
WNPJ has a long-standing commitment in support of prisoners' rights. Our Prison Reform Work Group, led by Sarah Quinn, has led educational projects, created packets of prison outreach information, and participated in direct prisoner education programs. Sarah may be reached at sarah@wnpj.org, or by calling: 608-250-9240.

Finally, as a testimony of the Network's strong commitment to Prisoner Justice and Reform we awarded our annual Lifetime Peacemaker award to Sister Esther Heffernan. Her lifelong social activism began in the 1940s as a University of Chicago student working for interracial justice. Sister Heffernan is currently chair of the Task Force on Money, Education and Prisons, seeking change in Wisconsin's criminal justice system. We are proud of our choice and of Sr. Heffernan.

In the interest of Prisoner Justice and Reform we urge you to pass Senate Bill 240. It's the right and just thing to do.

Thank you.

Mary Beth Schlagheck
Vice-Chair
Wisconsin Network for Peace and Justice





Tamara D.
GRIGSBY

Wisconsin State Representative
18th Assembly District

*Member, Joint Committee on Finance
Chair, Committee on Children and Families*

**Testimony Before the
Senate Committee on Labor, Elections and Urban Affairs
October 13, 2009
Senate Bill 240**

I want to thank Chairman Coggs for scheduling Senate Bill 240 for a public hearing today. As the Assembly author of this bill I greatly appreciate the willingness of the Committee to listen to the personal stories you will be hearing from the many individuals who traveled from around the state to tell you what this bill will mean to them.

I would also like to thank the Chairman for being a cosponsor of this bill.

The Wisconsin Democracy Restoration Act is designed to enfranchise over 42,000 taxpaying Wisconsin citizens who have been deemed safe to return to society by our system of reintegration and who live throughout the state of Wisconsin.

Like many of us, probationers and parolees live in their community, work, pay taxes, go to school and raise their families as they reintegrate into society, and yet, they may not be able to vote for 6 months, or longer under Wisconsin's current laws. This bill will restore the voting rights of this population and allow them to participate more fully in their communities.

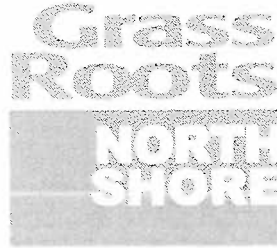
Restricting voting rights does not prevent crime, nor does it provide compensation to victims. In fact recent research finds a link between allowing ex-offenders to fully participate in society by voting and re-offense; people who voted after release from supervision were half as likely to be re-arrested as those who did not vote. The act of voting demonstrates an individual's commitment to the institutions of American democracy and society and should be encouraged.

Since 1997, 18 states have made progressive changes to their ex-offender disenfranchisement laws, including our neighboring states of Illinois, Indiana, Iowa, Michigan, and Ohio. These states have found that the simple act of voting makes ex-offenders feel more connected to their communities and is an important step toward their rehabilitation.

More than 70 Wisconsin organizations have joined the Restore the Vote WI/NOW coalition in support of the restoration of voting rights for individuals upon release of incarceration including: Milwaukee County Labor Council/AFL-CIO, the League of Women Voters of Wisconsin, the American Civil Liberties Union of Wisconsin, Lakeside Peacemakers of Manitowoc, the NAACP of Wisconsin, Madison Area Urban Ministries, Community Connections, League of Martin, Disability Rights Wisconsin, Project Return, Wisconsin Network for Peace and Justice, and many other faith, labor and community organizations representing tens of thousands of voting Wisconsin citizens statewide.

I thank the committee for your time and consideration of this matter. I am happy to answer any questions Committee members may have.





Date?

www.grassrootsnorthshore.org

For more information contact:

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414-963-0847/schmitz1@ameritech.net

Grassroots Northshore Backs Restore the Vote in Wisconsin

(Shorewood, WI) -- This week the Wisconsin State Senate will be taking up SB240, the WI Democracy Restoration Act. AB 353 is the State Assembly version.

These measures will seek to restore the vote to the 62,000 Wisconsin residents who are on parole or on probation.

We, the members of Grassroots Northshore, feel that these Wisconsin citizens have paid their debt to society, and now should have the right to vote restored. Such an action will recognize their return as full-fledged contributing members of society.

We believe these legislative measures are the right thing to do and we urge our elected representatives to support these bills.

Grassroots Northshore is an organization located in the North Shore of Milwaukee that supports progressive change.

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