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Details:

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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 ...

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INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

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- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
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Felony Disfranchisement in Wisconsin

Felony disfranchisement is a policy that bars citizens from the ballot box upon conviction of a felony. In the United States, over 5.3 million Americans cannot vote due to a felony conviction. Felony disfranchisement laws vary from state to state, but 48 states bar incarcerated individuals from casting a ballot, with only Maine and Vermont allowing inmates to vote. Ten states permanently ban certain individuals with a felony conviction from voting and two states bar all persons with felony convictions from voting.

The vast majority of disfranchised individuals are no longer incarcerated, but are living in their communities on probation or parole; 2.1 million of the disfranchised population have fully completed their sentence. These disfranchised individuals are tax-paying citizens, involved with the issues in their community, but unable to vote to affect them.

The impact of felony disfranchisement falls disproportionately upon communities of color. Nearly one and a half million African-American men, or 13%, are disfranchised due to felony convictions, a rate that is seven times the national average of one out of forty-one adults. If incarceration rates hold steady, three in ten of the next generation of black men can expect to be disfranchised at some point in their lives.

However, over the last decade the national trend has moved toward lowering barriers for the disfranchised. Since 1997, 16 states have made progressive changes to their felony disfranchisement laws, enfranchising over 700,000 formerly incarcerated individuals.

In a democracy voting is a right, not a privilege. But for over 5 million Americans, that is not the case. We are aiming to change that in Wisconsin.

- More than 62,000 Wisconsin residents are disfranchised.
- The majority of Wisconsin's disfranchised population is not in prison or jail, but lives in Wisconsin's communities.
- One out of nine African-American voters in Wisconsin is disfranchised, compared to one out of fifty Wisconsin voters.
- Wisconsin has more restrictive felony disfranchisement laws than 20 other states, including Michigan, Illinois, Indiana and Ohio.

Wisconsin Disfranchisement Policy

In Wisconsin, individuals with felony convictions are barred from voting until full completion of their sentences – incarceration or probation and any period of parole and/or extended supervision. Individuals must register to vote upon completion of sentence.

Who is disfranchised regionally?

Wisconsin's felony disfranchisement laws are more severe than those of several of its neighboring states. Michigan, Illinois, Indiana and Ohio all automatically restore voting rights upon release from incarceration. Minnesota and Iowa however restore voting rights upon completion of sentence. Iowa's current policy, adopted July 4, 2005, by then Governor Tom Vilsack used an executive order to enfranchise approximately 80,000 Iowans who had until then been permanently barred from voting.

Who is disfranchised in Wisconsin?

An estimated 62,341 people with felony convictions are barred from voting in Wisconsin. Only 30% of the disfranchised are in prison while

40% of disfranchised people are on probation and 21% are on parole. Like many of us, probationers and parolees live in their communities and work, pay taxes and raise families.

Racial Impact

One out of nine African-American voters is disfranchised in Wisconsin, compared to one out of fifty of Wisconsin voters. As a result, Wisconsin has the 11th highest rate of African-American disfranchisement in the United States. African Americans comprise 39% of the disfranchised population, even though they comprise only 5% of the states voting age population.

Voting & Public Safety

Felony disfranchisement runs counter to the goal of public safety. Restricting voting rights does not prevent crime, nor does it provide compensation to victims. In fact, disfranchising persons after release from prison is antithetical to the reentry process and harmful to long-term prospects for sustainable reintegration of ex-offenders into society. Recent research finds a link between voting participation and re-offense, people who voted after release from supervision were half as likely to be re-arrested as those who did not vote. Similar effects

were found among people with a prior arrest; 27% of non-voters were re-arrested, compared to 12% of people who had voted.

Far from making streets safer, felony disfranchisement may be detrimental to public safety. Voting demonstrates an individual's commitment to the institutions of American democracy. The irony of felony disfranchisement is that the very behavior that society strives to encourage – the commitment to the larger social and political collective – is undermined by a policy that requires people who desire to engage in that behavior to relinquish the right to vote.

How can I help in Wisconsin?

Join the state-wide coalition working to repeal Wisconsin's law. To contact the coalition, email liberty@aclu-wi.org

Call your legislator and tell them you support the voting right restoration legislation that has been introduced in the Wisconsin legislature to automatically restore voting rights upon release from incarceration.

Visit democracysgnosts.com and aclu-wi.org to learn more about the issue and watch a film on felony disfranchisement. Show the film to your friends and neighbors!



Restore the Vote WI NOW! Coalition

A Project of the
ACLU of Wisconsin



Restore the Vote Wisconsin Coalition

A Project of the
ACLU of Wisconsin



Restore the Vote Wisconsin NOW! Coalition (501c4) list	Restore the Vote Wisconsin Coalition (501c3) list	
1	ACLU of Wisconsin	ACLU of Wisconsin Foundation
2	ACLU Racial Justice Project	ACLU Foundation Racial Justice Project
3	9 to 5 National Association of Working Women	9 to 5 National Association of Working Women
4	AFL-CIO/Milwaukee County Labor Council	AFL-CIO/Milwaukee County Labor Council
5	American Associate of Probation and Parole Officers	American Association of Probation and Parole Officers
6	Campaign Against Violence/League of Young Voters	Benedict Center of Milwaukee
7	Citizen Action of Wisconsin	Campaign Against Violence/League of Young Voters Education Fund
8	Community Connections	Citizen Action of Wisconsin - Faith-based Caucus
9	Equality Wisconsin	Citizen Action of Wisconsin
10	Fair Elections Wisconsin	Community Connections Wisconsin
11	Faith Community Workers for Justice (a project of the WI AFL-CIO)	Disability Rights Wisconsin
12	Good Jobs and Livable Neighborhoods Coalition	Equality Wisconsin Education Fund
13	Grassroots Northshore	Esperanza Unida, Inc.
14	League of Women Voters of Wisconsin	Faith Community Workers for Justice (a project of the WI AFL-CIO)
15	Liberty Tree Foundation	Forum for Understanding (SW Wisconsin)
16	Madison area Urban Ministry	Grassroots Northshore
17	NAACP - Milwaukee Branch	Institute for One Wisconsin
18	NAACP - Racine Branch	Justice 2000
19	NAACP - Wisconsin State Office	Lakeside Peacemakers (Manitowoc)
20	National Lawyers Guild-Milwaukee Chapter	League of Martin (Milwaukee Black Police Association)
21	National Association of Social Workers, Wisconsin Chapter	League of Women Voters of Wisconsin
22	One Wisconsin Now	Liberty Tree Foundation
23	Peace Action-Wisconsin	Madison-area Urban Ministry
24	Project Return	Milwaukee Fatherhood Initiative
25	SEIU-AFRAM	NAACP - Milwaukee Branch
26	SEIU-Local 150	NAACP - Racine Branch
27	Wisconsin Democracy Campaign	NAACP - Wisconsin State Office
28	Wisconsin Coalition Against Domestic Violence	National Black Police Association
29	Wisconsin Network for Peace and Justice	National Lawyers Guild-Milwaukee Chapter
30		National Association of Social Workers, Wisconsin Chapter
31		Peace Education Project of Peace Action-Wisconsin
32		Project Return
33		Racine Dominican Justice and Rights Commission
34		SEIU-Local 150
35		The Sentencing Project
36		Urban Underground
37		Vessels of God
38		Veterans for Peace-local 102 (Cudahy)
39		Voices de la Frontera
40		Voices Beyond Bars a project of Madison area Urban Ministries

Testimony of
EMILIO DE TORRE

On behalf of
AMERICAN CIVIL LIBERTIES UNION

On

AB 353

AN ACT RELATING TO THE VOTING RIGHTS OF INDIVIDUALS WITH FELONY
CONVICTIONS

Before the

STATE AFFAIRS COMMITTEE
IN THE TWENTY-FIFTH LEGISLATURE - FIRST SESSION

STATE OF WISCONSIN

August 27, 2009

Good afternoon Chairman and members of the Committee. My name is Emilio de Torre and I am with the American Civil Liberties Union of Wisconsin. The American Civil Liberties Union (ACLU) is the nation's primary advocate of an individual's civil rights and civil liberties as guaranteed by the US Constitution and the Bill of Rights.

In the United States, over 5.3 million Americans cannot vote due to felony convictions. Felony disenfranchisement laws vary from state to state, but it is important to note that many are less restrictive than Wisconsin's. Specifically, 13 states plus the District of Columbia permit people who are no longer incarcerated to vote, even if they are on probation or parole. This includes several of Wisconsin's neighbors – Illinois, Indiana, Michigan, Ohio and Pennsylvania. An additional 5 states allow people on probation (but not on parole) to vote. And 2 more states allow people in prison to vote.

Across the country, the vast majority of disenfranchised individuals are no longer incarcerated but are living in their communities. More than 2 million disenfranchised Americans have fully completed their sentences, and many others are on probation or parole. These individuals are tax-paying citizens, involved with the issues in their communities, but unable to vote to affect them.

Wisconsin's disenfranchisement policy is also out of step with international norms. The United States is the only democratic nation that currently disenfranchises large numbers of non-incarcerated individuals. All European nations allow citizens to vote automatically

upon release from incarceration, and many democratic nations – including 17 European countries, Canada, Israel and South Africa – permit even prisoners to vote. Felony disenfranchisement policies also violate several international treaties as well as human rights documents and agreements.

The impact of felony disenfranchisement falls disproportionately upon communities of color. Nearly 1.5 million African-American men are disenfranchised due to felony convictions. This 13% disenfranchisement rate is seven times the average national disenfranchisement rate of one out of 41 adults. If incarceration rates hold steady, three in ten of the next generation of black men can expect to be disenfranchised at some point in their lives.

Felony disenfranchisement has a racially disproportionate impact in Wisconsin as well. One out of 9 African-American voters is disenfranchised in Wisconsin, compared to one out of 50 Wisconsin voters. As a result, Wisconsin has one of the highest rates of African-American disenfranchisement in the United States. African-Americans comprise 39% of the disenfranchised population, even though they comprise only 5% of the states voting age population.

Over the last decade the national trend has been toward removing such barriers to the ballot box. Since 1997, 20 states have made progressive changes to their felony disenfranchisement laws, enfranchising over 700,000 formerly incarcerated individuals.

I hope that Wisconsin can join the growing movement for increased enfranchisement.

Thank you very much for the opportunity to testify today on AB 353. I urge your support for this important legislation.

END

AB 353 – Senator Spencer Coggs
Assembly Committee on Correction & Courts
August 27, 2009

Mr. Chair and Members,

Thank you again for having this hearing today. I am testifying in favor of Assembly Bill 353 which would restore the right to vote to felons immediately upon their release from prison.

Earlier in this hearing you heard testimony regarding the work of the Commission on Reducing Racial Disparities. One of the underlying themes that the Commission emphasized was the importance of giving tools to the inmate to allow them to more easily reintegrate into society. By restoring the right to vote, former inmates have one less obstacle to reintegration, as well as one additional incentive to remain out of prison.

This bill will also reduce instances of formerly incarcerated felons unintentionally, but nonetheless illegally under current law, voting before they have been discharged by the Department of Corrections.

At its base, this bill emphasizes the most fundamental right in a democracy – the right to vote. Having been convicted and sentenced to a term of imprisonment, a felon deservedly surrenders many rights in order to pay a debt to society. One of the first rights that should be restored should be the right to vote.

Thank you for your time and I look forward to your support of AB 353.

BRENNAN
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**Written Testimony of
Erika L. Wood
Deputy Director, Democracy Program
Brennan Center for Justice at NYU School of Law
Before the
Wisconsin Assembly Committee on Corrections and the Court
Submitted September 3, 2009**

I write on the behalf of the Brennan Center for Justice at NYU School of Law in support of Assembly Bill 353, the Wisconsin Democracy Restoration Act. Thank you for accepting my written testimony. I regret that I was not able to attend the August 27th hearing in person.

The Brennan Center is a non-partisan, not-for-profit, public policy and law institute that focuses on issues of democracy and justice. The Brennan Center's Right to Vote project works exclusively on restoring voting rights to persons with criminal convictions by engaging in litigation, legislative and administrative advocacy, and public education nationwide at the federal and state level.

We have been working with local partners in Wisconsin on the passage of Assembly Bill 353. This long-overdue reform would restore voting rights to more than 37,000 Wisconsin citizens and make Wisconsin's felony disenfranchisement laws more just, less discriminatory, and easier to administer.

The Current Law

The right to vote forms the core of American democracy. 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, one significant blanket barrier to the franchise: 5.3 million American citizens are not allowed to vote across the country because of a felony conviction. As many as 4 million of these people live, work and raise families in our communities, but because of a conviction in their past they are still denied the right to vote.¹

¹Erika Wood, *Restoring the Right to Vote 2* (2009), available at http://www.brennancenter.org/~/media/Reports/2009/09/20090901_Restoring_the_Right_to_Vote_2.pdf, see also Jeff Hantze et al., *Imprisoned: Locked Out, Felon Disenfranchisement and American Democracy* 76 (2006).

Currently Wisconsin law disenfranchises people while in prison and during the time that they are living in the community under probation or parole supervision.² In Wisconsin, 62,343 individuals are ineligible to vote because of a conviction.³ Over 37,500 of these individuals are out of prison, and living in the community.⁴

A.B. 353 seeks to change the law to restore voting rights to people who are on probation and parole. Fifteen states and the District of Columbia currently allow people on parole and probation to vote, including Wisconsin neighbors Illinois, Indiana, Michigan and Ohio.⁵

Disproportionate Impact on Minority Communities

Felony disenfranchisement laws in the United States are deeply rooted in the troubled history of American race relations. In the late 1800s these laws spread as part of a larger backlash against the adoption of the Reconstruction Amendments.⁶ Many criminal disenfranchisement laws were enacted right alongside poll taxes and literacy tests as part of an organized effort to prevent African Americans from voting.⁷

The disproportionate racial impact of these laws continues to this day. Nationwide, 13% of African-American men have lost the right to vote, a rate that is seven times the national average.⁸ Given current rates of incarceration, three in ten of the next generation of African-American men across the country can expect to lose the right to vote at some point in their lifetime.⁹

Disproportionate rates of incarceration have caused Wisconsin's disenfranchised population to be overwhelmingly composed of people of color. While African Americans only make up 6% of Wisconsin's population,¹⁰ nearly 40% of those disenfranchised in Wisconsin are African-American.¹¹ In all, 11% of Wisconsin's African-American community is currently disenfranchised.¹²

² Wis. Stat. §§ 6.03 (1)(b), 304.078 (3).

³ Manza & Uggen, *supra* note 1, at 250, Table A3.3. This data was gathered in 2004.

⁴ *Id.*

⁵ Hawaii, Illinois, Indiana, Massachusetts, Michigan, Montana, New Hampshire, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, and Utah all restore voting rights upon release from prison. See Brennan Center for Justice, *Criminal Disenfranchisement Laws Across the United States* (2009).

⁶ http://www.brennancenter.org/dynamic_sitemap/download_file/48647.pdf. Maine and Vermont do not disenfranchise anyone with a felony conviction. *Id.*

⁷ See Wood, *supra* note 1.

⁸ *Id.*

⁹ The Sentencing Project, *Felony Disenfranchisement Laws in the United States* 1 (April 2007); <http://www.sentencingproject.org/pdfs/10-16-07.pdf>.

¹⁰ *Id.*

¹¹ Wisconsin State and Country Quick Facts, U.S. Census Bureau.

¹² <http://www.statefacts.census.gov/indstates/55000a.htm>.

¹³ Manza & Uggen, *supra* note 1, at 250, 253, Table A3.3 and Table A3.4.

¹⁴ *Id.* at 253, Table A3.4.

Administrative Confusion

Laws that continue to disenfranchise people after release from prison often lead to widespread confusion among both elections officials and the public. Election officials receive little or no training on these laws, and there is little or no coordination or communication between election offices and the criminal justice system. The confusion illegally disenfranchises *eligible* voters and exposes to prosecution *ineligible* voters who mistakenly believe they were entitled to vote.¹³

Such confusion has been documented in Wisconsin. For example, in 2004, there were numerous inflated claims of election fraud, including allegations that people on probation and parole had voted illegally. Elizabeth Mitchell-Frazier faced felony charges alleging that she had voted while on probation for a felony conviction.¹⁴ A year later, the charges were dropped when Ms. Mitchell-Frazier proved that she had been convicted only of a misdemeanor.¹⁵ Kimberly Prude mistakenly believed she was eligible to vote. As a result, she spent more than a year in prison after being prosecuted for voting while on probation. After hearing Reverend Al Sharp speak at a rally, Ms. Prude was inspired and marched along fellow Wisconsin citizens, believing that she was eligible to vote since she was not in prison. Although Ms. Prude's original crime was not serious enough to warrant a prison sentence, her mistaken believe that she was eligible to vote landed her behind bars.¹⁶

The widespread confusion among impacted individuals and state officials suggests there is a need for a simplified voting system with easier eligibility rules and proper notification procedures.

National Momentum

Nationwide, governors, legislators and voters have taken bold steps to restore voting rights to people with criminal convictions. Since 1997, 20 states have restored voting rights or eased the restoration process.¹⁷

Support for restoring voting rights to people who are released from prison is also growing among law enforcement and criminal justice professionals who recognize that restoring voting rights is important for our democracy, and for protecting public safety.¹⁸ They believe that

¹³ See Erika Wood & Rachel Bloom, *DeFacto Disenfranchisement* (2008), available at <http://www.brennancenter.org/Content/Resource/DeFactoDisenfranchisement>.

¹⁴ Reid J. Epstein, *Woman Accused of Voter Fraud in Waukesha County*, Milwaukee J. Sentinel, Oct. 14, 2005, at B3, available at <http://www.jsonline.com/story/index.aspx?id=363127>.

¹⁵ Laurel Walker, *Booker Striking Out so Far on Voter Fraud*, Milwaukee J. Sentinel, Nov. 30, 2005, at B1, available at <http://www.jsonline.com/story/index.aspx?id=374426>. See also Wood, *supra* note 1, at 17.

¹⁶ Bill Grauber, *Her First Vote Put Her in Prison*, Milwaukee Journal Sentinel, May 21, 2007, at F1, available at <http://www.jsonline.com/story/index.aspx?id=608187>; Eric Lipton, et al., *In 3-Year Effort, Scant Evidence of Voter Fraud*, N.Y. Times, April 12, 2007, at A1. See also Wood, *supra* note 1, at 17.

¹⁷ See Ryan S. King, The Sentencing Project, *Expanding the Vote: State Felony Disenfranchisement Reform, 1997-2008* (Sept. 2008), available at http://www.sentencingproject.org/doc/publications/fo_satedisenfranchisement.pdf.

¹⁸ For more information about the law enforcement and criminal justice coalition, visit <http://www.lawenforcementandcriminaljusticereform.org>.

bringing people into the political process makes them stakeholders, which helps steer individuals away from future crimes. Branding people as political outsiders by barring them from the polls disrupts re-entry into the community. Restoring the right to vote invests individuals in our democracy and sends the message that people are welcomed back as integral members of their home communities.

The problem has garnered attention at the federal level as well. Wisconsin Senator Russ Feingold recently introduced Senate Bill 1516, federal legislation that would restore voting rights in federal elections to individuals upon release from prison in federal elections.¹⁹ This legislation is gaining steady support in Congress and across the country. A growing and diverse coalition including civil rights organizations, criminal justice reform advocates, law enforcement professionals and religious leaders has formed based on a shared understanding that restoring voting rights to people in the community not only strengthens our democracy, it helps prevent recidivism, and is true to the fundamental principles of redemption and forgiveness. Wisconsin's Democracy Restoration Act parallels Senator Feingold's federal bill.

Legislative Solution

The Wisconsin Democracy Restoration Act would make our democracy richer, more diverse, and more representative of all people than ever before. It would also create a simple bright-line rule: if you are out of prison, you can vote, which would help eliminate widespread and persistent confusion among elections and criminal justice officials and the public. Most importantly, the bill would give a voice back to thousands of Wisconsin's citizens. We urge you to pass Assembly Bill 353.

Thank you for your consideration of this important bill. Please feel free to contact me at 212-992-8638 or erika.wood@nyu.edu if you have any questions.

¹⁹ For more information on the federal Democracy Restoration Act, visit www.brennancenter.org/act.

Testimony of

TERENCE RAY

On

AB 353

AN ACT RELATING TO THE VOTING RIGHTS OF INDIVIDUALS WITH FELONY
CONVICTIONS

Before the

COMMITTEE ON CORRECTIONS AND THE COURTS
IN THE TWENTY-FIFTH LEGISLATURE - FIRST SESSION
STATE OF WISCONSIN

August 27, 2009

Good afternoon Chairman and members of the Committee. Thank you very much for the opportunity to testify today on AB 353, a measure addressing the voting rights of persons with felony convictions in Wisconsin. I urge your support of this important legislation.

My name is Terence Ray and the issue of voting rights for individuals with criminal convictions is extremely important and personal to me. It's important and personal because I am a convicted felon who has paid his debt to society and I believe that regaining one's right to vote is a very valuable and important part of the reentry process and can provide an avenue for formerly incarcerated individuals to confidently travel the road to become positive, actively involved, productive citizens.

I support AB 353 because I want to be a good role model – leading by example – for not only my children, but all the children in my neighborhood. And I firmly believe that by participating in the electoral process through voting I can show young people that in spite of the mistakes I made in the past, I am an active, involved, citizen who cares about his community and the people who live in it.

Research shows that individuals who vote and participate in the process are less likely to be re-arrested. Research has also shown that when children see their parents vote, they are more likely to vote as adults. I take my children with me to the polls so they can see me vote and I can teach them about their rights and responsibilities as American citizens.

Finally, I support this bill because had it not been for my direct involvement in the process after my incarceration, I would not be experiencing the incredible success I am

today. I know, first hand, the benefits and rewards that come from the personal pride one experiences after actively participating in the Democratic process knowing that, in spite of my past, I played a critical role, through my vote, in working to make my neighborhood, community and city a safe place for my children to live and grow in.

I hope that Wisconsin can join the growing movement for increased enfranchisement. I appreciate your consideration of these remarks and would be pleased to work with the Committee if I can be of any further assistance.

END

DRAFT DRAFT DRAFT DRAFT

TESTIMONY SUBMITTED BY MARC HERSTAND, EXECUTIVE DIRECTOR,
NATIONAL ASSOCIATION OF SOCIAL WORKERS, WISCONSIN CHAPTER IN
SUPPORT OF ASSEMBLY BILL 353 ON THURSDAY AUGUST 27, 2009

One of the historic and primary features of the social work profession is the "individual in the environment". Therefore in addition to attempting to help individuals and families overcome their own psychological barriers, we as social workers also pay attention and work to change environmental forces that create, contribute to and address problems in living.

Returning prisoners face enormous barriers to reentry in society 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 includes 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 role 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, 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 Assembly Bill 353.

Honorable Chairman Parisi and members of the Committee on Corrections and the Courts; please accept my sincere apologies for not being able to testify in person on this issue, but please accept my printed testimony in my absence. I and my organization is very much in support of Assembly Bill 353.

We have worked to "Get out the Vote," "Protect the Vote" and now we need to "Restore the Vote." All over this great state of Wisconsin, there are people who have served their time and for years afterward are never clear on their right to vote or just scared to go to the polls and cast their vote. In our already overcrowded and over worked probation and parole system this seems to be one of the things that just does not get the attention needed to assure at re-entry people truly return as full participating members of society. As an advocate for voter's rights I can tell you first hand that this is always a topic of great discussion in the Milwaukee community and continues to be. We join the Coalition to Restore the Right to Vote and ask your passage of AB 353 as it is so greatly needed.

I will never forget the first time a citizen of Milwaukee told me he didn't have the right to vote. I was helping in a voter registration drive, canvassing one of the neighborhoods that had a very low voter turnout. It was a great day to be out, a lot of people were just out and about doing chores and we approached a middle aged black man and his friend washing a car. After the introductions of who we were, we asked if they were registered to vote. One of the gentlemen turned his head the other was very quick to say "they had records and couldn't vote." We spoke a little more and assured them they had nothing to be ashamed of and told them that once they were "off paper" they would be able to vote. After explaining they would have to see their probation officers and check to make sure everything was taken care of we went on through the neighborhood. That was so many years ago I can't remember the election, but the phrase "off paper" has stayed as part of my vernacular for years.

It struck me then as it does now the shame associated with the admission of one and the turning of the head of the other. To have an opinion and not be able to express it at the ballot box, to have a stranger tell you your rights and not know them or have the proper education of what it meant to be "off paper," was even more telling. How many times have I done that and had to know the law or quote it from talking points. To this very day I carry a voter guide in my purse to make sure that I am telling people the right thing. Serving your time and then not being clear on how and when you are able to really participate in this fundamental right, is a huge issue in Wisconsin.

While we have tried over all these years to continually educate and explain that the right to vote can be restored to a person who has served their time and is "off-paper," it just never seems to be enough. That is why the Milwaukee Area Labor Council AFL-CIO has signed on and are proud to lend our support to this

legislation. Why do ex-offenders have to wait until an election or some stranger walks up to them during an election year to get this vital information? Why not know, that when you have served your time you have full restoration of that most fundamental of rights, the right to vote? We constantly fight miss information and unintended consequences of people just not being sure.

Issues concerning ex-offenders voting, singles out a large population of people who once they have served their time, should no longer be an issue. The generation of lists, identification issues and the lack of education are striking. It is our hope that in the proud tradition of being one of the states in this nation that is second in its voter turnout, that we continue to be as progressive in this legislation, in restoring the rights of a large segment of our state population.

Thank you for this opportunity,

Sheila D. Cochran, Secretary – Treasurer/COO

Milwaukee Area Labor Council, AFL-CIO

Coordinator on behalf of the AFL-CIO for Election Protection in Wisconsin

Assembly Committee on Corrections and the Courts

2009 Assembly Bill 353

Testimony of Kevin J. Kennedy
Director and General Counsel
Government Accountability Board
August 27, 2009

Chairperson Parisi and Committee Members:

Thank you for the opportunity to appear before this committee and testify regarding Assembly Bill 353. This testimony is for information purposes only. The Government Accountability Board has not taken a position in support of or in opposition to the legislation. However, I would like to communicate some administrative issues identified by the agency staff that the agency believes should be addressed with changes in the legislation as well as my personal view on the legislation.

This Bill 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 supplies the lists to each of the 2,834 polling places in the state.

Assembly Bill 353 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 the Division of Enterprise Technology in the Department of Administration (DET) approximately \$1,560 per election. The agency believes the legislation could be enhanced if this requirement is eliminated.

By eliminating the requirement that poll workers and municipal clerks match in-person registrations with the felon lists, these over-extended election officials will be able to devote more time to serving voters in the municipal clerk's office and at the polling place on Election Day. The G.A.B. is able to continue marking incarcerated felons as ineligible to vote based on the electronic records it receives from DOC. This ensures those individuals will not appear on the poll lists. This proposed change presents a genuine cost saving for the G.A.B. and DET. I encourage the Committee to amend the legislation to accomplish this modest savings.

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 G.A.B. 131 forms. Other county and municipal clerks projected lower costs to provide updated forms.

While the Government Accountability Board has not taken a position on felon re-enfranchisement, I personally have been an advocate for many years. As Wisconsin's chief election official, I believe citizens should be given the opportunity to shape the governmental policies that affect their lives by enabling them to participate in the electoral process. I can think of nothing more ennobling in the rehabilitation process than to send a message to those who are working to reintegrate into society that government invites their participation in the voting process. 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 encourage you to move forward with this legislation along with the suggested change to eliminate providing paper felon lists to local election officials. This will improve efficient administration of the voter registration and election process at all levels of government, save valuable public resources and commit the state of Wisconsin to successfully integrating convicted felons into society as participating citizens rather than treating them as social outcasts who continue to be marginalized by their prior actions.

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



Thursday, August 27, 2009

**INSTITUTE FOR ONE WISCONSIN TESTIMONY
ASSEMBLY COMMITTEE ON CORRECTIONS AND THE COURTS**

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?

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.

Is this the point?

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



American Probation and Parole Association

August 17, 2009

To Whom It May Concern:

APPA HEADQUARTERS
c/o The Council of State Governments
P.O. Box 11910
Lexington, KY 40578-1910
(502) 244-8203 • FAX (502) 244-8001
E-mail address: appa@csq.org

Please accept this letter as presented by Mr. Terry Marshall, President/CEO of ATTIC Correctional Services, Inc. on behalf of the American Probation and Parole Association (APPA).

PRESIDENT

Gary Hazman
Ohio

As Executive Director of APPA, I write to urge you to support Assembly Bill 353, the Wisconsin Democracy Restoration Act. With 35 years of experience in criminal and juvenile justice, I firmly believe that restoring voting rights to those released from prison encourages rehabilitation and assists community supervision officials and law enforcement efforts to promote public safety.

PRESIDENT-ELECT

Isabella Proctor
Arizona

APPA is an international professional association with members throughout the United States, Canada and other countries who work in probation, parole and community-based corrections. These professionals supervise more than 5 million adults across the nation and know firsthand the challenges faced by those reentering society after incarceration.

VICE-PRESIDENT

Carmen Rodriguez
Illinois

I strongly believe that bringing people with past convictions into the political process is an important part of rehabilitation and successful reintegration. Continuing to bar people from the polls brands them as outsiders, prevents full participation in their community and hinders reentry efforts. Participation in the voting process affirms an individual's value to the political process. In addition, it encourages participation in civic life and builds connections to other law-abiding citizens who serve as support for those who may struggle with substance abuse or mental health issues.

SECRETARY

Julie Howe
Ohio

Last year, APPA passed a Resolution in favor of restoring voting rights to individuals upon release from prison. I have attached a copy of the resolution for your reference. Other criminal justice and law enforcement organizations, including the American Correctional Association, the Association of State Correctional Administrators, the National Black Police Association and the Association of Paroling Authorities International have passed similar resolutions.

TREASURER

James Brinkley
New York

In the interest of protecting public safety and promoting democracy, I urge you to support Assembly Bill 353.

AT-LARGE REGIONAL REPRESENTATIVES

Scott Lytle
Michigan

Tom Regan
Missouri

Sincerely,

AT-LARGE AFFILIATE REPRESENTATIVE

Tom Jace
Michigan

Carl Wicklund
Executive Director

EXECUTIVE DIRECTOR

Tom Jace

cc: Terry Marshall



Tamara D.
GRIGSBY

Wisconsin State Representative
18th Assembly District

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

**Testimony Before the
Assembly Committee on Corrections and the Courts
August 27, 2009
Assembly Bill 353**

I want to thank Chairman Parisi for scheduling Assembly Bill 353 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.

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.

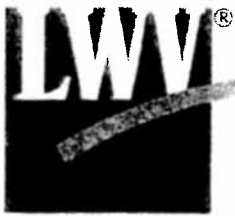
Like many of us, probationers and parolees live in their community, work, pay taxes, go to school and raise their families as they reintegrate into society, and yet, they may not be able to vote for 6 months, or longer under Wisconsin's current laws. This bill will restore the voting rights of this population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



LEAGUE OF WOMEN VOTERS* OF WISCONSIN EDUCATION FUND

122 State Street, #201A
Madison, WI 53703-2500

Phone: (608) 256-0827
Fax: (608) 256-1761

<http://www.lwwwi.org>
lwwwisconsin@lwwwi.org

August 25, 2009

To: Assembly Committee on Elections and Constitutional Law
Re: Support AB 353 – 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. 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 AB 353.



EQUALITY
WISCONSIN

My name is Jonathon Flynn. I am a board member of Equality Wisconsin, which strives to improve the lives of members of the Lesbian, Gay, Bisexual, and Transgender community in Wisconsin. My community's wider commitment to racial and economic justice compels Equality Wisconsin to take a stand on behalf of any marginalized community and stand on the side of equality and justice wherever we find inequality and injustice in our midst.

Drawing additionally on my experience as a private-bar, public defense attorney with many disenfranchised clients, I believe people with felony convictions on extended supervision, probation and/or parole should be allowed to vote. They are living and working in our community, and should be able to influence it's laws and policies by voting. Their voices should be heard.

Equality Wisconsin proudly stands as a member of the coalition to restore voting rights and asks you to vote yes on the bill.

Sincerely,

Jonathon Flynn
Equality Wisconsin Board Member
Attorney at Law

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.

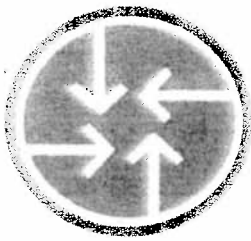
DRW also provides extensive protection and advocacy services to individuals with disabilities who are incarcerated or who are under correctional supervision. Individuals with disabilities comprise a substantial portion of Wisconsin's prison population. For example, more than 6600 inmates, 31% of Wisconsin's 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 results 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



ESPERANZA UNIDA, INC.

October 1, 2009

RECEIVED

OCT 02 2009

ACLU OF WI.

Our Mission
...to demonstrate that through unity and mutual respect we can provide service, guidance, training, education, and economic development to empower people.

...to assist people in growing personally and becoming economically self-sufficient.
...to take initiative to provide caring support and protection of rights to minorities and others who will contribute with pride to the greater Milwaukee community.

Used Car Sales/Vehicle Donation

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International Building

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(414) 704-5826

Esperanza Del Futuro Day Care

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Milwaukee, WI 53204
(414) 649-2572
(414) 649-2573

Legal Assistance
Workers Compensation
Unemployment Compensation

Employment Center

Learning Center
ESL Classes
HSED/GED Classes
Family Literacy

Robert Miranda
Executive Director

Ms. Renee Crawford
ACLU of Wisconsin
207 E. Buffalo Street, Suite 325
Milwaukee, WI 53202-5774

Dear Ms. Crawford:

Because election law is generally left up to individual states, America has a maladroit system of laws when it comes to felons and voting rights.

In Maine and Vermont for example, felons can vote while they're in prison. In Utah their political rights are restored the moment they are released from prison.

In Wisconsin, individuals with a felony conviction cannot vote until they have completed their sentence – incarceration, probation, parole and extended supervision.

Wisconsin's felony laws are harsher than those of its neighboring states. An estimated 62,342 people with felony convictions are barred from voting in Wisconsin. As a result, African Americans comprise 39% of the disfranchised population, even though they are only 5% of the voting age population in the state.

Wisconsin's unfair law disfranchises former felons who in most cases seek to return to society to become productive, tax-paying members of our community. Former felons deserve the right to vote because they have paid their debt to society.

Denying them the vote doesn't make anyone safer; instead, it further alienates already marginalized people, and ultimately undermines the workings of the very democratic institutions we so value.

Esperanza Unida, Inc. supports the Restore the Vote Campaign in Wisconsin, the disenfranchisement of former felons must end.

Sincerely,

Laura Manriquez
President, Esperanza Unida Inc

cc: EU Board of Directors

COMMUNITY
OF GREATER MILWAUKEE

VATC
CDRG

Creating jobs through economic development...creating opportunities through training.

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LEUA Hearing 10/13/09

SB 290

SB 240

- Hansen & Colón
 - both have written testimony
- SC? - proposal similar to boxing regs.?
 - PC, yes basic premise the same
- SC? - why take this long?
 - DH, 1 of 10 states that don't
 - good economic opportunity
 - PC, popularity has exploded
- BW? - \$10k for insurance realistic, doesn't buy much
- Hector Colón, DWD
 - has written testimony
- SC? - as implementation date & amendment support by author + IL experience on insurance
- BW? - are participants covered by DWD?
 - depends on facts of each situation, Russ following up
- GB? - are there a lot of injuries
 - not that many injuries
 - how much does \$500 cover
 - \$500 of coverage for health care
- Duke Roofos
 - breeding ground for future athletes
 - good revenue stream for state
 - UFC wants to come to WI
 - very safe sport
 - martial arts good discipline for kids
 - good role models for kids
 - going to happen, good regulation

- SC? - why so popular?
 - TV
 - guys get along well after fight
 - competitors try/work hard
 - good sportsmanship
- SC? - min. age for participation

- Scott Jaffe
 - 2105 N. Summit, MKE - home
 - partner w/ Duke Roufus + fight promoter
 - former personal relationships w/ students
 - extreme growth in last 3 years
- SC asks for written remarks

- Cheryl Clancy
 - former MP's principal
 - unscrupulous folks do it w/o regulations
 - provide framework for athletes to thrive
- SC? - how interested in being judge
 - MMA grandma
- Tim Westlake
 - qualified to speak on multiple aspects
 - fortunate in WI to have good background
 - fewer injuries in MMA than boxing
- SC? on safety in re: weight classes
 - increased safety + good match ups
- worst injury?
 - never missed day at work

- BW? - new sport - hard to judge long term effects
 - did long term study from 2001-04
 - energy transfer is lower
- Ken Kurt
 - certified referee
 - compared to other contact sports, fewer serious injuries but more less serious injury
 - has MMA in his gym
- Pat Berry
 - 301 N. 75th St., MKE - home
 - wanted to be Van Damme or TMNT
- Mark Plavcan
- Pat O'Malley
- Al Wichajew's
 - MMA ref, judge + trainer
 - increase safety for fighters
 - level playing field
- Sal D'Amato
 - 6600 W. KK River Pkwy, MKE.
 - regulations needed
- Damien Decovah
 - license fee costs have to be fair
 - use Nevada model to regulate
- Corey Christopherson
 - matchmaker
 - showcase talents in professional environment
- Jeff Niss
- some guy

SB 240

- Taylor
 - reads written statement
 - connection to community for parolees
 - Feingold doing federal campaign
 - Right to Vote coalition
 - WI ranks high for disparities
- SC? - most felons arrested for voting said they didn't know they couldn't, what's the worst thing that could happen?
 - elected official doesn't get vote (sarcastic)
 - encourage individuals to vote
 - some places its criminal not to vote
- GG? - harsh on felons, aren't there some life restrictions on parolees?
 - yes, but none as important as voting
- SC? - right to vote more important
 - what is harmed by preventing vote?
- Kevin Kennedy
 - has written testimony
- Scott Ross
 - no copy, but reads written to fact to follow
 - losing right to vote is not prohibition on future criminal acts
 - CRRD states
 - on American law
 - Voter Protection Summit

66
gone

(A)

- Duane Walker
 - couldn't vote in 2008, Po. agreed it was weird
- Alicia Boehme (Burma)
 - has written testimony
 - 31% of prison population has mental illness
- Kesth Fair, NAACP in Racine
 - Political Action Chair of NAACP
 - called local leggie, but decided to come today
 - former Racine alder
 - don't know if they can or can't vote, this clarifies
- SC highlights confusion on being able to vote or not
- JL story on people not being able to vote in halfway house
- Craig Oliver
 - involved in Racine politics for 28 years
 - part of rehabilitative process
- Brenda Ward, Nat'l Assn. of Social Workers
 - disabled people or substance abuse or long term disease face same obstacles in voting
 - "Locked Out: Felar Disenfranchisement"
- Darlene Wellner, Salvation Army + LWV
 - LWV has written testimony
- Kristin Schroeder
 - felon comes with stigma
- Frank Van den Bosch
 - would be way to welcome felars home
 - WI Prison Watch is newsletter for inmates & families
 - reaffirmation of success
 - when released, full fledged members

GBS
gumb

GB
game

- Kathleen Hart
 - CURE = Citizens United for Reform of Elections
 - grandson caught up in 2004 felon voter sweep
 - finally released ORO
 - even Grothman has point on guns
- Peggy Swann
 - want to give back to help heal society
 - voices are meaningless (from inmate)
- Ronald Selinger
 - very brief
- Renee Crawford
 - thanks to everyone who came out statewide
 - came from movie "Democracy's Ghost" (2005)
 - ACLU felt legis. would be agreeable
 - right to vote is bipartisan
 - connection between voting and community connection
 - not just right, responsibility
 - offer right to exercise responsibility
 - out of step internationally
 - polling is off the charts in support (will send numbers)
 - no where in WI supports this less than 52%
 - George Bush & Charlie Crist, Bobbie Jindahl did this in their states
- BW - tired of conspiracy theorists - democracy is hard work
- GB - wants to know wording of polling question
- hard to argue against this

(6)



- ▶ Home
- ▶ Lobbying in Wisconsin
- ▶ Organizations employing lobbyists
- ▶ Lobbyists

Presented by the Wisconsin
Government Accountability Board

as of Monday, October 12, 2009

2009-2010 legislative session
Legislative bills and resolutions

(search for another legislative bill or resolution at the bottom of this page)

Senate Bill 240

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. (FE)

TEXT sponsors LBR analysis	STATUS committee actions and votes text of amendments	COST & HOURS of lobbying efforts directed at this proposal
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Organization		These organizations have reported lobbying on this proposal:	Place pointer on icon to display comments, click icon to display prior comments		
Profile	Interests		Date Notified	Position	Comments
◆	◆	American Civil Liberties Union of Wisconsin Inc	7/23/2009	↑	
◆	◆	ATTIC Correctional Services Inc	7/22/2009	↑	
◆	◆	League of Women Voters of Wisconsin Education Fund Inc	7/27/2009	↑	
◆	◆	National Association of Social Workers - Wisconsin Chapter	9/1/2009	↑	
◆	◆	State Bar of Wisconsin	9/3/2009	↑	
◆	◆	Voces de la Frontera Action, Inc.	7/30/2009	↑	
◆	◆	Wisconsin Council on Community Corrections	7/28/2009	↑	
◆	◆	Wisconsin Professional Police Association	8/31/2009	↓	

Select a legislative proposal and click "go"

House

Proposal Type

Proposal Number (enter proposal number)

Legislative Session





Her first vote put her in prison

Woman is one of five from city convicted of voter fraud

By **BILL GLAUBER**
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Posted: **May 21, 2007**

Union Grove - Kimberly Prude is 43, a grandmother of three and the face of voter fraud in Wisconsin.

The first vote she cast in her life, in the 2004 presidential election, landed her in the middle of a political storm and put her on a road to a two-year sentence inside the Robert E. Ellsworth Correctional Center.

"At this point, I'm not interested in voting," Prude said last week in a measured voice as she sat in a spare meeting room at the minimum security prison.

It was her first interview since her conviction in September 2005. She wore a gray T-shirt, blue jeans and white tennis shoes. She smiled and appeared comfortable discussing her life in prison, where she earns 26 cents an hour as a cleaner in the kitchen and is studying to complete a high school equivalency diploma.

On advice of her attorney, she declined to discuss the case, which is on appeal.

How Prude got from the streets of Milwaukee to a prison in Racine County is now the stuff of American political history.

Prude cast an illegal vote in 2004. As a felon on probation and under state supervision, she was ineligible to vote.

A woman who dropped out of high school in 10th grade, struggled with substance abuse and compiled a criminal record, Prude found herself up against the might of the federal system.

"I tried to get help in the beginning," she said. "I wrote Oprah (Winfrey's) O Magazine. I got my daughter to call certain talk show hosts, Montel Williams, Maury Povich. There was no interest."

In almost any other election year in perhaps any other state, such a vote might have gone unnoticed and unpunished.

But in Wisconsin - a key battleground state - the closely contested 2004 presidential election between President George W. Bush and Sen. John Kerry (D-Mass.) was placed under a microscope, especially in Milwaukee.

GOP warned of fraud

In the days leading to the election, Republicans leveled accusations that the vote was subject to fraud and challenged 5,600 addresses of voters on Milwaukee's rolls, while Democrats warned of intimidation and potential suppression of minority voters including African-Americans, such as Prude.

The election was held. The votes were counted. The debate died down.

But the issue did not go away.

In early 2005, Republican officials in Wisconsin complained to senior White House political adviser Karl Rove that Milwaukee U.S. Attorney Steven M. Biskupic was not being aggressive enough in

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pursuing voter fraud cases.

Biskupic has said he was unaware of those complaints and has repeatedly denied that his office prosecuted any voter fraud case because of White House pressure. As early as 2005, Biskupic was on an "evolving list" of 26 U.S. attorneys to be fired by the Bush administration, according to The Washington Post.

After all the allegations of voter fraud made during the 2004 presidential campaign, federal attorneys in Milwaukee brought 14 cases. Six of those were dismissed before trial, and only five convictions were secured, all Milwaukee residents. Prosecutors had to prove that the voters intended to defraud the system.

10% of all U.S. cases

Although 14 cases may not sound like a lot, they made up more than 10% of all the federal voter fraud cases brought in the United States from 2002 to 2006, according to The Christian Science Monitor.

Four of the cases here involved allegations of double voting, and 10 others involved felons accused of voting.

As in a majority of states, Wisconsin prohibits felony offenders from voting until they have completed probation and parole. Only two states deny the right to vote for all ex-offenders, and nine other states restrict certain ex-offenders or impose a waiting period to vote, according to The Sentencing Project, an advocacy group.

One of those charged by prosecutors here was Derek Little, a felon from Milwaukee, who registered to vote and then cast a ballot on the same day. The only identification he had was a parolee card.

"In big bold letters, it says OFFENDER, and they still let me vote," Little said. "I thought it was their job to know the rules."

Federal attorneys dropped the case. But the experience left Little shaken.

"The Department of Corrections should take the time out and make sure a person understands each and every one of the rules 100 percent," he said. "I don't want anyone else to go through this situation. It will turn you into a nervous wreck."

Prude's case was different.

She worked as a local volunteer for the John Kerry-John Edwards campaign, even calling people to inform them how they could vote.

Went to Sharpton rally

On Oct. 22, 2004, she volunteered for a rally that featured the Rev. Al Sharpton. As the rally ended, Sharpton encouraged the crowd to follow him to City Hall, where people could register to vote. Prude joined the crowd, registered to vote and then submitted an absentee ballot. While waiting in line, she said, she heard someone asking for people to work the election-day polls. Prude signed up.

Later, Prude said she notified her parole agent that she had a job as a poll worker and the agent told her she couldn't vote. Prude claimed she called the election commission to attempt to withdraw her ballot but that a person she spoke with told her not to worry about the vote.

Assistant U.S. Attorney Richard Frohling said Prude's story "changed repeatedly."

"You didn't get the sense (from Prude), 'I made a mistake, I forgot.' This was, 'I did it, now I'm trying

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to cover.' "

During the three-day trial, Prude testified she made a "terrible mistake" by voting and tried to correct it.

The government said Prude was amply warned that felons under supervision could not vote. Prude's parole officer testified that on Sept. 27, 2004, he warned her not to vote.

The government said that at the polls on election day, "Prude improperly vouched for individuals she had never met. She also signed as the corroborating witness on two on-site registration cards for the same voter."

A jury convicted Prude of voter fraud.

She was sentenced to serve two years concurrent with a state sentence for forgery. She pleaded guilty to the state charge in 2000; her six-year prison term was stayed and she was placed on supervision.

The voting fraud conviction contributed to her probation being revoked.

Due for release in fall

Prude is expected to be released from prison in the autumn. She plans to return home and pursue a job lead.

For now, she said, the things she misses most are holidays. Asked what gift she wants for her first Christmas at home, she thought for a moment and said, "You know what, I want no surprises this year."

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195 felons may have cast ballots

By RYAN J. FOLEY
Associated Press

Up to 195 Wisconsin felons may have voted illegally in the November 2008 presidential election and could soon face prosecution, a state official said Wednesday.

A check of the 2.98 million voters in the election against the names of felons on state supervision turned up 213 matches, which has since been reduced to 195 after inaccuracies were found, said Government Accountability Board spokesman Reid Magney.

Those names have been sent to 78 municipal clerks for further review and will be forwarded to district attorneys for investigation and potential prosecution by Oct. 9, he said.

The crackdown comes as a bill advancing in the Democratic-controlled Legislature would give felons the right to vote once they are released from prison or jail. The change would immediately re-enfranchise more than 41,000 felons on probation and parole, according to the

Department of Corrections.

One of the bill's supporters, Rep. Joe Parisi, D-Madison, called the effort to track down ineligible felon voters from last year "a colossal waste of taxpayer dollars."

"These are resources that could have gone to tracking down rapists and murderers," he said. "Instead, we're going to try to find out if someone who used to be in prison accidentally voted before their terms of parole were over."

The current law makes it a crime for felons under state supervision, including those on probation and parole, to cast ballots. Only when they have served their entire sentences are their voting rights restored.

Violations are considered a Class I felony punishable by up to 42 months in jail or a fine of up to \$10,000. They can also result in felons having their extended supervision revoked and being returned to prison immediately on the sentence for their earlier crimes.

Rep. Mark Gundrum, R-New Berlin, said he was surprised by the number of

potential violations and said they should be prosecuted. He said the close 2004 presidential election in Wisconsin and several prosecutions of felon voters have highlighted the problem.

"These folks by now should know they are not eligible to vote and thereby probably had a greater intent to break the law," he said. "Having felons voting taints our entire process."

An Assembly committee approved the bill giving voting rights to felons released from custody on a 6-5 vote along party lines earlier this month, with Democrats in favor and Republicans opposed.

Democrats, backed by civil rights groups, have argued that giving felons voting rights will help them become productive members of society. They contend the current law disproportionately shuts minorities out of the election process.

Republicans say they support the existing law. They accuse Democrats of trying to add to their supporters with the change, a charge Democrats deny.

State's voting felons too few to matter

In the 2008 presidential election there were 2.98 million Wisconsin voters. Out of these, 195 felons voted when they shouldn't have.

That comes to 0.000065 percent of all who voted. This caused Rep. Mark Gundrum, R-New Berlin, to remark on his surprise at the numbers of violations.

Get real. If he thinks that would have made a difference in the 2008 presidential election in Wisconsin, he probably also thinks the Earth is flat.

The Republicans are saying that the Democrats, who propose giving the right to vote back to felons after their release from prison, would add to the Democrats' support. Are they sure that all the felons on parole are all Democrats?

— David Roberts, Oxford

Wis State Journal 10/4/08



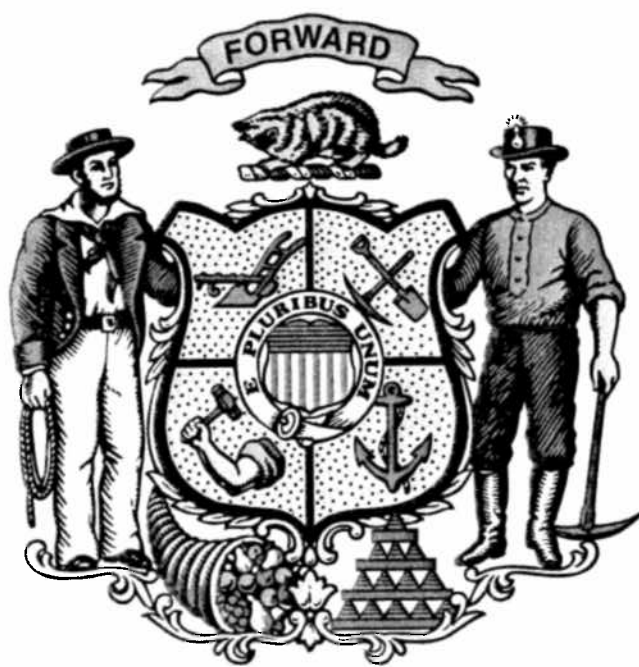


OCT. 15- OCT. 21, 2009

Issue of the Week: Restoring the Vote
By Shepherd Express Staff

Wisconsin legislators should restore the voting rights of about 42,000 Wisconsin residents who have been released from prison but are still unable to vote. Wisconsin not only bars those with felony convictions from voting until they have completed their time in incarceration, but their time on probation or parole as well. Ex-offenders on parole or probation are living in our communities, working, paying taxes and trying to get their lives back on track, yet they're prohibited from voting on issues that directly affect them. And there's no reason to believe that Wisconsin's policy is enhancing public safety, promoting civic involvement or halting recidivism.

As the Restore the Vote Wisconsin Coalition points out, Wisconsin's felon disenfranchisement law is more restrictive than the laws in Michigan, Illinois, Indiana, Minnesota, Iowa and Ohio. Heck, even George W. Bush enfranchised ex-felons in 1997 when he was governor of Texas. Why must Wisconsin continue to punish ex-offenders who have served their time and want to participate on Election Day? Legislators should pass the Wisconsin Democracy Restoration Act as soon as possible.





Statement on Senate Bill 240: The Wisconsin Democracy Restoration Act

Submitted by
The Sentencing Project

October 2009

Thank you for the opportunity to submit a statement on behalf of The Sentencing Project regarding Senate Bill 240, in regard to voting eligibility for persons with felony convictions on probation and parole. The Sentencing Project is a national non-profit organization engaged in research and advocacy on criminal justice policy issues. In regard to the issue of felony disenfranchisement, The Sentencing Project has produced a series of publications relating to felony enfranchisement, including a 1998 study that provided the first state-based estimates of the impact of disenfranchisement. This statement will present a brief overview of the national scale of this problem and recent legislative developments, followed by a rationale for why The Sentencing Project believes this legislation would establish a more fair and effective policy for Wisconsin.

NATIONAL OVERVIEW

There are currently an estimated 5.3 million Americans who are not eligible to vote as a result of a felony conviction. Notably, three-quarters of the disenfranchised population are not incarcerated; they are persons under probation or parole supervision, or persons who have completed a felony sentence but are still disenfranchised due to their state laws.

All but two states (Maine and Vermont) have laws that restrict the voting rights of convicted felons for a period of time. In 48 states and the District of Columbia, persons convicted of a felony cannot vote while in prison. Thirty-five states, including Wisconsin, still prohibit some combination of persons on probation, parole, and/or people who have completed their sentence from voting.

While some of these laws have been in existence since the founding of the country, their impact has never been greater, due to the vast expansion of the criminal justice system over the past thirty years. The 200,000 people in state and federal prisons in 1970 have mushroomed to more than 1.4 million today. Similar increases can be seen in the number of persons on probation and parole.

FELONY DISENFRANCHISEMENT IN WISCONSIN

As noted, Wisconsin is one 35 states nationally in which a felony conviction can result in the loss of voting rights post-incarceration; while persons are completing their felony probation or parole sentence. There are currently an estimated 42,000 persons in Wisconsin who are prohibited from. The Wisconsin Democracy Restoration Act would move the state in line with the neighboring states of Michigan, Illinois, Indiana or Ohio – states with other less restrictive disenfranchisement policies.

Enfranchisement can assist with reentry and strengthen public safety as persons reintegrate into their communities. Probationers and parolees are citizens who live in their community, work, pay taxes, go to school and raise their families as they contribute to society, and yet, they may not be able to vote for 6 months to 20 years or even the remainder of their lives under current laws in Wisconsin.

MOVEMENT FOR REFORM

In recent years there has been a great deal of legislative activity around the nation in regard to disenfranchisement policies. This has come about as the public and policymakers have become aware of the broad impact of these practices. In 1997, then-Governor George W. Bush signed into law a measure that repealed the two-year waiting period after completion of sentence before voting rights were restored. Since then, 18 additional states have enacted reforms to their disenfranchisement statutes, bills that were endorsed by both Democratic and Republican governors. These have included the repeal of the voting ban for people who have completed their sentences in New Mexico, the extension of voting rights to persons on probation in Connecticut, and easing of the restoration process in Alabama and Virginia. Most recently, voters in Rhode Island approved a ballot measure in November 2006 that extended voting rights to persons on probation and parole.

RACIAL IMPACT OF DISENFRANCHISEMENT LAWS

Racial disparities in the criminal justice system translate into higher rates of disenfranchisement in communities of color. In Wisconsin, African Americans constitute 39% of those disenfranchised, an estimated 24,293 persons. One of every nine (11.1%) African Americans in Wisconsin is currently disenfranchised, resulting in the state having the 13th highest rate of black disenfranchisement in the nation. Half (51.9%) of the disenfranchised African American population, is either on probation or parole.

CONCLUSION

The state of Wisconsin disenfranchises people convicted of a felony during any period of imprisonment, as well as those under probation or parole supervision. Proposed legislation in Wisconsin would restore voting rights to persons on probation and parole. Currently, this is the policy in 15 states (including Maine and Vermont, which do not impose any period of disenfranchisement) and the District Columbia. In recent years other states, like Rhode Island, have enacted similar reforms. Enacting the Wisconsin Democracy Restoration is a way to help fully integrate people with felony convictions into society and to give people a voice in their democracy. Reintegration is an important step in the struggle to prevent recidivism and to promote public safety.