

The Right to Vote – HB 70, SB 70

Restoration of Voting Rights for Former Felons



Michael Hiser

I made a mistake when I was younger. After prison I went to college. I'm off parole. I've finished my time. I've paid all my fines. I've become a model citizen, taking care of my children, working my way through school and contributing any way I could. But I'm also a former felon. In Kentucky, having a past felony conviction means I can't vote.

I am a husband, a father. I have been a teacher at a community college for several years, and I am a case manager for the Right Turn Program and a volunteer chaplain and a youth pastor at a local church. I've been going back into the prisons, helping inmates through drug and alcohol addiction and preparing them to return to their communities.

It's important to me that my 6-year-old grow up learning to be a part of the community, working to meet the needs of others. Yet I haven't been able to participate in my community in one of the most foundational ways – by voting. I'm working to make our democracy healthy again.

Democracy works best when all Kentuckians can participate in decisions affecting our lives – and that includes having **the fundamental right to vote**.

A healthy democracy is essential for ensuring justice and a good quality of life for all people. Kentucky's election laws and systems should be designed with the goal of protecting each individual's access to the ballot box and increasing overall voter registration and participation.

Kentucky's outdated constitution takes away a person's right to vote forever if he or she is convicted of a felony. Even a class D felony is enough to lose voting rights unless they can get a pardon from the governor. As a result, an estimated 243,842 Kentuckians, including 180,984 people who have completed their sentences (2010 figures), are barred from participation in our democracy. Only two other states make it so difficult to get your voting rights back.

We believe that after people have served their time, they should be given back their right to vote – because that's the right thing to do and because it makes Kentucky's democracy stronger. And it's only fair that people who work, raise families, do business, pay taxes and contribute in other important ways be allowed a voice in our government.

Restoring voting rights even contributes to crime prevention. Former felons who vote are statistically half as likely to commit future crimes than former felons who don't vote. When you think about it, it makes sense. People who feel part of a community are less likely to act out against that community.

Thirty-nine states automatically restore voting rights to all people, although at different points in the completion of their sentence (including two states where citizens never lose the right to vote). HB70/SB 70 would put Kentucky in a category with 8 other states that automatically restore rights to only some felons.

A solution in HB 70 / SB 70

A change is needed in Section 145 of the Kentucky Constitution to correct this problem. HB 70/SB 70 (as well as related bills HB 26 and SB 26) would allow Kentucky voters to decide whether to allow automatic restoration of voting rights to most* former felons once they've paid their debt to society. This bill has passed the House by large bipartisan margins each of the last 8 years but has been stopped by the Senate.

* Based on compromise language added in 2007, automatic restoration would not be granted to felons convicted of crimes involving treason, murder, sexual offenses, or bribery in an election.



How Voting Benefits Individuals and Communities

“According to the Brennan Center, if all Kentuckians who have completed their full sentence but are still denied the right to vote lived in one city, it would be a place bigger than Kentucky’s third largest city, Bowling Green.”



“I haven’t always been a minister. At one point, I was a gang member and a drug dealer. I ended up getting arrested and sentenced to 12 years. It was a little after that I realized the Lord was calling on me to preach. I really changed my life around. After I got out in 2006, I was ordained and rededicated my life to serving other people. Even though the Lord has forgiven me, it’s still hard for society to accept me. I can pay taxes, but I can’t vote or have a real voice in the government. I don’t understand that. It’s not like that in other states. Ours is one of just a few. It doesn’t seem right.”

Rev. Damon Horton

“The right to vote freely for the candidate of one’s choice is of the essence of a democratic society, and any restrictions on that right strike at the heart of representative government.”

**former U.S. Chief Justice
Earl Warren**

“I’ve got my children watching me. I’ve got my grandchildren watching me. I’m going to teach them the importance of voting.”

**Tayna
Fogle**



“I’m a former felon ... but that’s not all I am. I’m a mother of four, daughter, a sister, a Sunday school teacher, a social worker and so much more. It’s important to teach that actions have consequences, but *I’ve paid my time for what I did wrong*. Former felons are real people. We’re not stereotypes. We’re human beings. I still have an opinion and I have the right to voice that and for it to make a difference. It’s time for us to change.”

— **Sandy Holbert**



Organizations in the Restoration of Voting Right Coalition: NAACP, Kentuckians For The Commonwealth, Kentucky AFL-CIO, League of Women Voters of Kentucky, AFSCME Council 62, Kentucky Alliance Against Racist and Political Repression, Addiction Recovery Advocates of Kentuckiana, Kentucky Council of Churches, Central Appalachian Prisoner Support Network, Nia Community of Faith, Kentucky Mental Health Coalition, Central Kentucky Council for Peace and Justice, Fairness Campaign, Religious Society of Friends (Quakers) in Kentucky, Kentucky Domestic Violence Association, Lexington Diocesan Council for Peace and Justice, Kentucky Women’s Network, American Civil Liberties Union of Kentucky, Kentucky Jobs with Justice, Kentucky Coalition for Immigrant and Refugee Rights, Kentucky United Nations Association, Kentucky Protection and Advocacy, Canaan Community Development Corporation, People Advocating Recovery, Interfaith Alliance of the Bluegrass, Prison Ministry Commission, Kentucky Black Caucus of Local Elected Officials, Louisville Showing Up for Racial Justice, Interdenominational Pastors Fellowship of Lexington and Vicinity, Mission Behind Bars and Beyond, Episcopal Diocese of Lexington

Kentuckians For The Commonwealth

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