

SB 619

Measure Title:
RELATING TO VOTING

Report Title:
Voting Rights, Incarcerated Persons

Description:
Allows incarcerated persons who were Hawaii residents at the time of their arrest to vote via absentee ballot in Hawaii's elections.



EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

WRITTEN ONLY

Testimony of
Barry Fukunaga
Chief of Staff to the Governor

Before the
SENATE COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS
Thursday, February 12, 2009, 1:15 p.m.
Room 229, State Capitol

S.B. 619 RELATING TO VOTING

Chair Espero, Vice Chair Bunda, and members of the Committee:

The Office of the Governor **opposes** S.B. 619. This bill would allow incarcerated offenders to retain their right to vote, providing them with the ability to vote via absentee ballot.

At present, Hawaii law does not permit offenders to vote during their period of incarceration. This limitation is a sensible one, as it is a result of the incarcerated individual's willful and deliberate criminal activities. The vast majority of the states around the county do not give incarcerated offenders the right to vote.

Additionally, this measure does not provide funding to the Chief Elections Officer to develop "special ballots", or pay for the other costs associated with implementation of this legislation. In light of the State's current fiscal situation, such expenditures are not prudent at this time. The Office of the Governor must oppose S.B. 619.

LINDA LINGLE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
919 Ala Moana Boulevard, 4th Floor
Honolulu, Hawaii 96814

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Deputy Director
Law Enforcement

No. _____

**TESTIMONY ON SENATE BILL 619
RELATING TO VOTING**

By
Clayton A. Frank, Director
Department of Public Safety

Senate Committee on Public Safety and Military Affairs
Senator Will Espero, Chair
Senator Robert Bunda, Vice Chair
Thursday, February 12, 2009; 1:15PM
State Capitol, Conference Room 229

Senator Espero, Senator Bunda, and Members of the Committee:

The Department of Public Safety (PSD) appreciates the legislature's interest in giving those incarcerated the right to vote. However, the PSD does not support Senate Bill 619. The vast majority of the states around the county do not give incarcerated offenders the right to vote. However, the right to vote is restored if and when the offender is released on either probation or parole. Any perceived disenfranchisement of the offender by temporarily disallowing them to vote is done as a result of their willful and deliberate criminal activities.

It should also be noted that Section 6(b) - (Page 7, Line 19 thru Page 8, Line 2) of this measure does not provide the funding to the Chief Elections Officer to develop "special ballots" that would be necessary in order to conform with minimum postal cost requirements. In addition, Section 6(c) - (Page 8, Line 6 thru 16) of this measure may not provide the Clerk the necessary time required to provide absentee ballots to those incarcerated, nor does Senate Bill 619 specify who will be responsible for processing facsimile ballots.

Further, Section 6(c) – (Page 8, Line 13 thru 16) of this measure does not consider the time differences between Hawaii and Arizona and Hawaii and Kentucky, which directly affects the processing of facsimile absentee ballots and the additional late evening staff that may be required at the mainland facilities to process facsimile absentee ballots.

The Department appreciates the intent of this measure; however, given the current fiscal difficulties, it would not be prudent to pursue enactment at this time. Thank you for this opportunity to provide testimony on this matter.

February 2, 2009

COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS

Sen. Will Espero, Chair

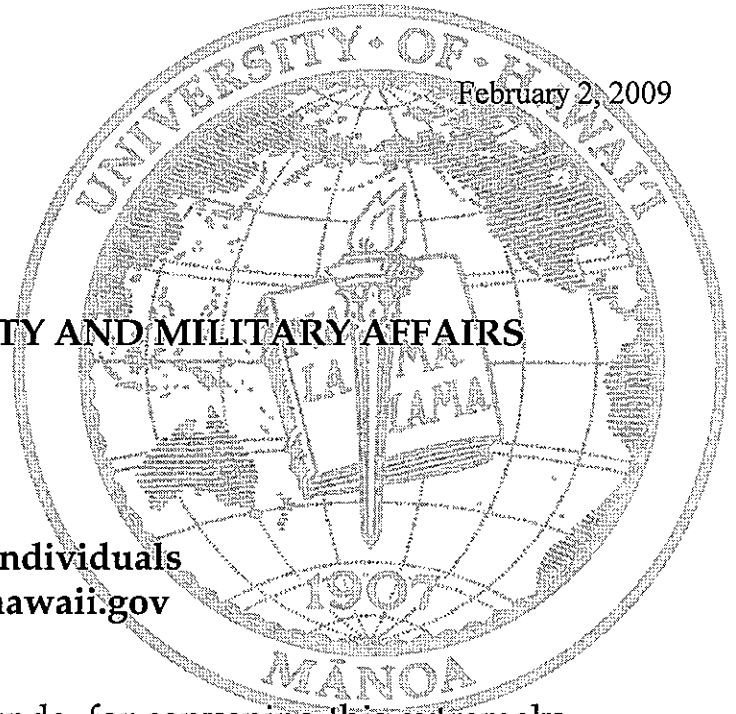
Sen. Robert Bunda, Vice Chair

Thursday, February 12, 2009

STRONG SUPPORT

SB 619 – Voting for Incarcerated Individuals

Sent to: PSMTestimony@capitol.hawaii.gov



Thank you Senators Espero and Bunda for convening this extremely important hearing.

My name is Meda Chesney-Lind. I am currently a Professor of Women's Studies at the University of Hawaii at Manoa. I am also a past Vice-President of the American Society of Criminology. Today, however, I am speaking as an individual.

I strongly support the proposed bill, particularly since Hawaii has so many of our citizens under lock and key.

As you know, Senator Espero, since you've written eloquently on the topic, the U.S. has the dubious distinction of leading the world in terms of incarceration. As the Pew Center on the States noted recently, we now imprison one out of every hundred of our citizens.

What about our own state? Hawaii has also dramatically increased its reliance on incarceration in the last three decades. Hawaii now incarcerates over 6,000 inmates (actually 6,036 as of the beginning of this year).¹ That is up from 5,053 in 2000. That's a twenty percent increase just since the turn of the century.

¹ Pew Center on the States, **One in a Hundred: Behind Bars in America**. 2008. Page 5

Hawaii's prison population has increased at a faster pace than the nation as a whole. Specifically, between the turn of the century and the end of 2006, Hawaii's prison population increased by 2.8 percent a year, compared to a national average of only 1.7% per year.²

California's prison population, by comparison, increased by only 1.2%, and New York's prison population actually decreased by 1.7%.³

Over-representation of people of color in the U.S. prison system has long been a problem. Nationally, more than sixty percent of those in prison are racial and ethnic minorities.⁴

More to the point, in Hawaii, it has long been recognized that Native Hawaiians are over-represented, though the exact dimensions of this are somewhat difficult to judge.

My own research on this problem dates back a few years, when we did a profile of youth at the Hawaii Correctional Facility. We reviewed the characteristics of youth under the custody of the facility during 1999. At that time, Native Hawaiian boys and girls were far more likely to be incarcerated than their non-Hawaiian counterparts; specifically 52.6 percent of the boys and 63.2 percent of the girls in custody at HYCF in 1999 were Native Hawaiian.⁵

A look at the data provided by the Department of Public Safety reveals that Native Hawaiians constitute roughly 40% of those who are sentenced felons; recall that Native Hawaiians only account for about 20% of the population. Earlier data (2001) indicated that Native Hawaiian women were slightly more likely than their male counterparts to be over-

² Sabol, William J. and Heather Couture, **Prison Inmates at Midyear 2007**. Bureau of Justice Statistics, National Institute of Justice, 2007, pg. 3.

³ Ibid.

⁴ Sentencing Project, "Racial Disparity."

<http://www.sentencingproject.org/IssueAreaHome.aspx?IssueID=3>

⁵ Chesney-Lind, et al. "An Inquiry into Youth Crime and Violence in Hawaii." Center for Youth Research, University of Hawaii at Manoa. 2000: 29-31

represented (44% of incarcerated women are Native Hawaii, compared to 38% of men in 2001).⁶

Large numbers of Native Hawaiian prisoners should concern all the citizens of our State, particularly given the long history of dispossession Native Hawaiians have experienced. Any effort to connect those in prison with the outside world is welcome, and restoring voting rights is certainly one important way to both assure those in prison that they are still a part of our community.

Please consider passing this important legislation.

⁶ Office of Hawaiian Affairs. **Native Hawaiian Data Book**. 2002. Pg. 29

COMMUNITY ALLIANCE ON PRISONS

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COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS

Sen. Will Espero, Chair

Sen. Robert Bunda, Vice Chair

Thursday, February 12, 2009

1:15 PM

Room 229

STRONG SUPPORT with Amendment

SB 619 - Voting Rights for Incarcerated Individuals

PSMTestimony@capitol.hawaii.gov

Aloha Chair Espero, Vice Chair Bunda and Members of the Committee!

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a community initiative working to improve conditions of confinement for our incarcerated individuals, enhance our quality of justice, and promote public safety. We come today to speak for the 6,000+ individuals whose voices have been silenced by incarceration, always mindful that more than 2,000 of those individuals are serving their sentences abroad, thousands of miles from their homes and loved ones.

SB 619 allows incarcerated persons who were Hawai'i residents at the time of their arrest to vote via absentee ballot in Hawai'i elections.

Community Alliance on Prisons is in strong support of SB 619 and respectfully asks the committee to amend the measure by correcting the contradictory language in Section 8. Below is CAP's suggestion for language:

SECTION 8. Section 831-5, Hawai'i Revised Statutes, is amended by amending subsection (a) to read as follows:

(a) The right to vote is hereby restored to eligible persons who are registered to vote as residents of the State of Hawai'i and are confined in a prison, jail, correctional center, or community correctional center. The method of voting shall be absentee ballot.

Community Alliance on Prisons asserts that voting is a fundamental right of democracy and that assisting people by increasing civic literacy is a good thing. Restoring voting rights for incarcerated people is part of a comprehensive reentry strategy because a vibrant democracy demands participation and educating individuals on how to participate is vital to good citizenship.

Frederick Douglass said it most succinctly, *"Where justice is denied, where poverty is enforced, where ignorance prevails, and where any one class is made to feel that society is an organized conspiracy to oppress, rob and degrade them, neither persons nor property will be safe."*

Denying participation in the process, further marginalizes individuals and threatens public safety. Including people enhances public safety and builds community, which needs everyone's participation.

The national landscape on felon disenfranchisement is that:

- In 48 states (including Hawai'i) and the District of Columbia some or all felons lose the right to vote upon conviction
- In Maine, Vermont and Puerto Rico, conviction does not result in loss of the franchise, and even prisoners are entitled to vote

Felon disenfranchisement (denying voting rights), is an emerging issue across the nation as part of a comprehensive reentry strategy. SB 619 restores voting rights to individuals who want to be engaged citizens in the electoral process and our democracy.

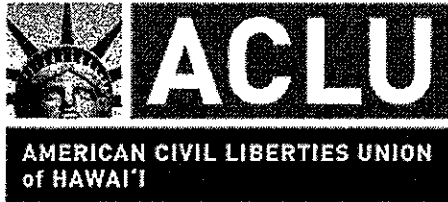
Hawai'i should not be proud of our lack of citizen participation. Teaching people how to be good citizens will help further democracy and build a strong, engaged citizenry.

Representative John Conyers, Jr., Chair of the Judiciary Committee in Congress said,

"If we want former felons to become good citizens, we must give them rights as well as responsibilities, and there is no greater responsibility than voting."

Amen!

Community Alliance on Prisons urges passage of SB 619. Mahalo for this opportunity to testify.



BY EMAIL: PSMTestimony@Capitol.hawaii.gov
Committee: Committee on Public Safety and Military Affairs
Hearing Date/Time: Thursday, February 12, 2009, 1:15 p.m.
Place: Room 229
Re: *Testimony of the ACLU of Hawaii in Strong Support of S.B. 619, Relating to Voting*

Dear Chair Espero and Members of the Committee on Public Safety and Military Affairs:

The American Civil Liberties Union of Hawaii ("ACLU of Hawaii") writes in strong support of S.B. 619, which seeks to allow incarcerated persons who were Hawaii residents at the time of their arrest to vote via absentee ballot in Hawaii's elections.

The ACLU of Hawaii applauds this Committee for hearing this bill and recognizing the importance of allowing all citizens to vote.

Giving all citizens the ability to vote will build a stronger democracy

Voting is a fundamental right and essential to American democracy. Without a vote, citizens have no voice. Restoring the ability to vote strengthens our democracy by increasing voter participation and helping people to reintegrate into society to assume the duties of citizenship. Felony disfranchisement is a policy with deeply racist roots and a racially disproportionate impact 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. However, over the last decade the national trend has moved towards lowering barriers for the disfranchised. Since 1997, 19 states have made progressive changes to their felony disfranchisement laws, enfranchising over 700,000 formerly incarcerated individuals. By passing this bill, Hawaii will join Maine and Vermont and take the lead in this important progressive movement recognizing the value of voting to a true democracy.

Allowing incarcerated individuals to vote will improve public safety, aid law enforcement and empower families and communities

Far from making streets safer, disfranchisement is detrimental to public safety. Voting demonstrates an individual's commitment to the institutions of American democracy. The irony

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Hon. Sen. Espero, Chair, PSM Committee
and Members Thereof
February 12, 2009
Page 2 of 3

of 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.

Restricting incarcerated individuals from voting does not prevent crime, nor does it provide compensation to victims. In fact, disfranchising incarcerated individuals is antithetical to the reentry process and harmful to long-term prospects for sustainable reintegration of formerly incarcerated individuals into society. There is simply no legitimate purpose in denying incarcerated individuals the ability to vote. Research finds a link between voting participation and re-offense; people who voted after release from supervision were half as likely to 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. Voting is particularly important for the reintegration of approximately 2000 individuals incarcerated on the mainland, far from their families and communities. As Wesley Andrenyak, Chief Advocate for the Maine Department of Corrections testified, his department's mission "is to return a prisoner to the community a better person than when he or she entered. An integral part of this process is the ability for prisoners to become productive citizens in their community upon release. One of the basic entitlements and responsibilities regarding civic responsibility is to exercise one's ability to vote.

Disfranchisement has a disproportionate effect on native Hawaiians – who are disfranchised at a rate nearly 3 times higher than that of the total population.

Currently, an estimated 6014 people from Hawaii are barred from voting because they are incarcerated. Disfranchisement has a particularly disproportionate effect on native Hawaiians, who are significantly over-represented in the disfranchised population. Native Hawaiians comprise 39% of the total disfranchised population, though they comprise only 20% of the total population of Hawaii. Native Hawaiians of voting-age are disfranchised at a rate of 1.6% compared to 0.6% of the general voting-age population, making the native Hawaiian disfranchisement rate nearly 3 times higher than that of the total population. Given

Suggested amendments to assure fair and accurate voter rolls

The ACLU of Hawaii does suggest that two amendments be made to the bill. First, we suggest that the bill be amended to contain a provision that requires the Department of Public Safety to undertake affirmative measures to notify people in prison that they are able to vote. Second, we

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Hon. Sen. Espero, Chair, PSM Committee
and Members Thereof
February 12, 2009
Page 3 of 3

suggest that the bill be amended to add the Department of Public Safety to the list of state agencies (like the DMV) that are permitted to register voters. Since pre-trial detainees and those incarcerated for misdemeanor offenses retain their right to vote, these provisions would streamline the process to ensure that all incarcerated individuals are able to effectively exercise their ability to vote.

The mission of the ACLU of Hawaii is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawaii fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawaii is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawaii has been serving Hawaii for over 40 years.

Thank you for this opportunity to testify.

Sincerely,

Laurie A. Temple
Staff Attorney
ACLU of Hawaii

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COMMITTEE ON PUBLIC SAFETY

Sen. Will Espero, Chair

Sen. Robert Bunda, Vice Chair

Thursday, February 12, 2009

1:15 pm Room 229

STRONG SUPPORT - SB 619 RELATING TO VOTING

Aloha Chair Espero, Vice Chair Bunda and Members of the Committee!

My name is Carrie Ann Shirota, and I am writing in strong support of SB 619 Relating to Voting. My experiences as a former Public Defender and staff member of a reentry program on Maui, and member of Community Alliance on Prisons have shaped my advocacy efforts to promote accountability and transparency within our correctional system. Each of us has a stake in providing rehabilitation opportunities to help individuals better prepare for their release from prison as law-abiding, contributing members of their 'ohana and community.

I am extremely pleased by the introduction of legislation in Hawai'i to restore the right to vote to all citizens, including our incarcerated brothers and sisters. I support this legislation for the following reasons:

Disenfranchisement does not serve any meaningful purpose. The restoration of voting rights for incarcerated persons convicted of felonies encourages these individuals to stay abreast of current issues and participate in the democratic process.

Disenfranchisement laws have a discriminatory impact on minorities groups. In the continental United States, disenfranchisement laws primarily affect African Americans and Latinos due to their disproportionate representation in American prisons. In Hawai'i, disenfranchisement laws disproportionately impacts Native Hawaiians and prevents them from participating in the democratic process.

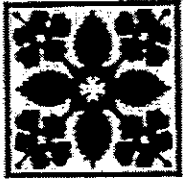
There is precedent for restoring to the right to vote to persons convicted of felony charges during their period of incarceration. Currently, in the United States, Maine and Vermont allows inmates to vote. Significantly, after negotiating with the Department of Corrections, the NAACP will now be able to hold annual voter registration drives at every prison facility in Maine. In honor of the anniversary of the Voting Rights Act of 1965, the annual drive this year will run for a week beginning August 6, and span six state-run facilities. See <http://www.correctionsone.com/news/1775898-NAACP-to-hold-voter-registration-drives-at-Maine-prisons>

In addition, numerous other countries permit persons in prison to vote. According to the Human Rights Watch and The Sentencing Project's 1998 report *Losing The Vote: The Impact of Felony Disenfranchisement Laws in the United States*: "Many countries permit persons in prison to vote. According to research by Penal Reform International, prisoners may vote in countries as diverse as the Czech Republic, Denmark, France, Israel, Japan, Kenya, Netherlands, Norway, Peru, Poland, Romania, Sweden and Zimbabwe. In Germany, the law obliges prison authorities to encourage prisoners to assert their voting rights and to facilitate voting procedures. The only prisoners who may not vote are those convicted of electoral crimes or crimes (e.g., treason) that undermine the 'democratic order,' and whose court-imposed sentence expressly includes disenfranchisement."

Please pass SB 619!

Respectfully submitted,

Carrie Ann Shirota, Esq.
Wailuku, Hawai'i 96793
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Hawai'i Women's Political Caucus

P.O. Box 11946
Honolulu, Hawai'i 96828
(808) 732-4987

Faye Kennedy
President

Allicyn Hikida Tasaka
Vice President

Nanci Kreidman
Vice President

Carolyn Wilcox
Treasurer

Pua Auyong White
Secretary

Amy Agbayani
Director

Diane Chang
Director

Gladys Gerlich-Hayes
Director

Joy Kobashigawa-Lewis
Director

Alice Tucker
Director

A State Chapter of the
National Women's
Political Caucus

February 11, 2009

TO: Senator Will Espero, Chair
Senator Robert Bunda, Vice Chair and
Members of the Senate Committee on Public Safety and Military Affairs

FROM: Faye Kennedy, President, Hawai'i Women's Political Caucus

RE: SB619 Relating to Voting
(Thursday, February 12, 2009 at 1:15pm in Room 229)

POSITION: SUPPORT

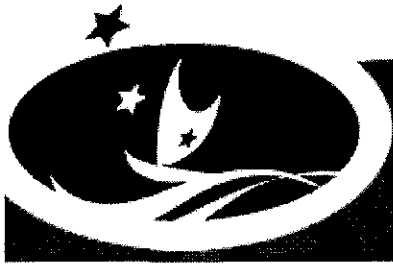
Good afternoon, Chair Espero, Vice Chair Bunda and members of the Senate Committee on Public Safety and Military Affairs. I am Faye Kennedy representing the Hawai'i Women's Political Caucus and submitting testimony in support of SB619 which allows incarcerated persons who were Hawai'i residents at the time of their arrest to vote via absentee ballot in Hawai'i's elections.

Incarceration does not mean loss of citizenship. Voting is a fundamental citizen right that must be guaranteed under the law. In Hawai'i, voting rights are immediately restored upon release from prison.

Voting can be an opportunity for inmates to learn about our political system, candidates and issues, engage in civic education, and prepare for reintegration into society. Inmates will remain aware of the issues that are important to society so that they may participate more fully in their communities upon release.

The Hawai'i Women's Political Caucus was established in 1981 and is a multi-partisan organization committed to increasing women's participation in the political process and increasing their representation in elected and appointed office. HWPC also supports male candidates committed to its goals. HWPC is dedicated to equality in employment, stopping all violence against women, and improving the health and well-being of women and families. The HWPC is a state chapter of the National Women's Political Caucus.

We urge your Committee to pass this equal rights measure. Thank you for the opportunity to submit testimony in support of this measure.



DEMOCRATIC PARTY OF HAWAII

Hawai'i State Democratic Women's Caucus 1050 Ala Moana Blvd #D-26, Honolulu, HI 96814 Email: hidemocraticwomenscaucus@yahoo.com

February 12, 2009

To: Senator Will Espero, Chair
Senator Robert Bunda, Vice Chair and
Members of the Committee on Public Safety and Military Affairs

From: Jeanne Ohta, Chair of Legislative Committee, Hawai'i State Democratic Women's Caucus

Re: SB 619 Relating to Voting
(Hearing: February 12, 2009, 1:15 p.m.)

Position: STRONG SUPPORT

Thank you for allowing me to present written testimony today, in support of SB 619 Relating to Voting which would allow incarcerated persons who were Hawaii residents at the time of their arrest to vote via absentee ballot in Hawai'i's election.

The Hawai'i State Democratic Women's Caucus is a catalyst for progressive, social, economic, and political change through action on critical issues facing Hawai'i's women and girls. It is because of this mission, the Women's Caucus supports this measure to allow incarcerated persons to vote.

A strong and healthy democracy must include the voices of all its citizens. In a democracy, voting is a right, not a privilege. Two states, Maine and Vermont allow prisoners to vote.

Incarceration does not mean loss of citizenship. Voting is a fundamental citizen right that must be guaranteed. Currently, Hawai'i voting rights are immediately restored upon release. This disenfranchisement based on criminal conviction has a disproportionate effect on the Native Hawaiian community. Though Native Hawaiians make up only 20% of Hawai'i's total population, they comprise 39% of the total disenfranchised population.

Civic literacy is an important part of being an engaged citizen. Voting can be an opportunity for inmates to learn about issues and candidates and prepare for reintegration into society. They will then be able to more fully participate in their communities upon release.

It is our understanding that women participating in community-based transition programs, who work in the community, and pay state income taxes are prevented from voting based on this out-dated policy. Please restore their right to vote and encourage them to become fully engaged citizens. We urge you to pass SB 619.

Pamela Lichty
Member, ACLU Legislative Working Group
Honolulu, HI 96816
808 224-3056

Committee: Senate Committee on Public Safety and Military Affairs

Hearing Date/Time: Thursday, February 12, 2009, 1:15 p.m.

Place: Room 229

Re: S.B. 619, Relating to Voting - in Strong Support

Dear Chair Espero and Members of the Committee on Public Safety and Military Affairs:

I write in strong support of S.B. 619, which seeks to allow incarcerated persons who were Hawaii residents at the time of their arrest to vote via absentee ballot in Hawaii's elections. I applaud this Committee for hearing this bill and recognizing the importance of allowing all citizens to vote. Giving all citizens the ability to vote will build a stronger democracy

Voting is a fundamental right and essential to American democracy. Without a vote, citizens have no voice. Restoring the ability to vote strengthens our democracy by increasing voter participation and helping people to reintegrate into society to assume the duties of citizenship. Felony disfranchisement is a policy with deeply racist roots and a racially disproportionate impact 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. However, over the last decade the national trend has moved towards lowering barriers for the disfranchised.

Since 1997, 19 states have made progressive changes to their felony disfranchisement laws, enfranchising over 700,000 formerly incarcerated individuals. By passing this bill, Hawaii will join Maine and Vermont and take the lead in this important progressive movement recognizing the value of voting to a true democracy.

Allowing incarcerated individuals to vote will improve public safety, aid law enforcement and empower families and communities. Far from making streets safer, disfranchisement is detrimental to public safety. Voting demonstrates an individual's commitment to the institutions of American democracy. The irony of 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.

Restricting incarcerated individuals from voting does not prevent crime, nor does it provide compensation to victims. In fact, disfranchising incarcerated individuals is antithetical to the reentry process and harmful to long-term prospects for sustainable reintegration of formerly incarcerated individuals into society. There is simply no legitimate purpose in denying incarcerated individuals the ability to vote. Research finds a link between voting participation and re-offense; people who voted after release from supervision were half as likely to 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. Voting is particularly important for the reintegration of approximately 2000 individuals incarcerated on the mainland, far from their families and communities. As Wesley Andrenyak, Chief Advocate for the Maine Department of Corrections testified, his department's mission "is to return a prisoner to the community a better person than when he or she entered. An integral part of this process is the ability for prisoners to become productive citizens in their community upon release. One of the basic entitlements and responsibilities regarding civic responsibility is to exercise one's ability to vote.

Disfranchisement has a disproportionate effect on native Hawaiians – who are disfranchised at a rate nearly 3 times higher than that of the total population.

Currently, an estimated 6014 people from Hawaii are barred from voting because they are incarcerated. Disfranchisement has a particularly disproportionate effect on native Hawaiians, who are significantly over-represented in the disfranchised population. Native Hawaiians comprise 39% of the total disfranchised population, though they comprise only 20% of the total population of Hawaii. Native Hawaiians of voting-age are disfranchised at a rate of 1.6% compared to 0.6% of the general voting-age population, making the native Hawaiian disfranchisement rate nearly 3 times higher than that of the total population. Please pass this bill to help redress this situation.

Thank you for this opportunity to testify.

COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS

Sen. Will Espero, Chair
Sen. Robert Bunda, Vice Chair
Thursday, February 12, 2009
1:15 PM
Room 229

STRONG SUPPORT

SB 619 - Voting Rights for Incarcerated Individuals
PSMTestimony@capitol.hawaii.gov

Aloha Chair Hanohano, Vice Chair Aquino and Committee Members:

My name is Diana Bethel, and I am writing in support of SB 619 which allows incarcerated persons who were Hawai'i residents at the time of their arrest to vote via absentee ballot in Hawai'i elections.

Giving inmates the right to vote would, I believe, provide a needed intellectual stimulus as well as a connection to the outside world that seems to be lacking in many prisons where inmates seem to be languishing in an intellectual, social, and cultural vacuum. This may be an effective reentry strategy to instill a sense of civic responsibility, offer the experience of participatory democracy, and ultimately enhance public safety.

Please pass SB 619.

Mahalo,

Diana Bethel
1441 Victoria St.
Honolulu, Hawaii 96822

Testimony in Support of SB619**Thursday, February 12, 2009****1:15PM, Conference Room 229**

TO: Senator Will Espero, Chair
And Members of the Committee on Public Safety and Military Affairs

Thank you for hearing this important bill. I strongly urge you to support SB 619 on Voting Rights

I am an proud American, an active voter, a certified Voting Registrar, a citizen of Hawaii since 1985 and a community leader and advocate for civil rights, the founding president for FOLK (Friends of the Library Kapolei, amongst other civil groups to the benefit of the quality of life in my neighborhood, my county and the State of Hawaii.

For the past several years, I have been an active advocate for voting rights. Every year I take the class for certification as a Voting Registrar. One year, I worked on year long training project encouraging and promoting senior citizens to become informed voters. The project was called Silver Legislature. It was a most rewarding experience. In fact, there are members on this board who supported this State-wide project for the benefit of their communities and the state.

I believe that our US Constitution gives us the right to vote in free elections. SB619 will return the right to vote for a minority within the state who by law are denied their civil rights while they are incarcerated felons. The right to vote is restored to them upon release from prison. It's the just thing to do to reinstate them now.

Right now the US is in a 8 year war that was suppose to assist a foreign country to set up a political system that would enable the citizens to participate in their own government. Part of this effort was to give the people the right to vote.

We can do no less for our citizens. In order to reinstate the voting rights of those incarcerated would be simple to implement. The incarcerated citizens would simply mail in their registration, indicating that they wanted an Absentee Ballot. When the election came, they would fill out the Absentee Ballot and mail it in. This is an excellent way to keep them connected to society and encourage them to utilize their voting rights. This also encourages good citizenship.

I urge the committee to pass SB 619. Thank you for this opportunity to testify.

Carolyn Martinez Golojuch, MSW
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808 672-9050

"If more people believed in justice, equality would be reality." cmg

-----Original Message-----

From: Mary A Guinger [mailto:maguinger@hawaii.rr.com]

Sent: Wednesday, February 11, 2009 11:07 AM

To: PSM Testimony

Subject: SB 619 Support

Voting is a right and a social thread of a society.
Criminals need to feel the social threads that will link them to
society like family, friends, and voting.
The crime is wrong. Voting is a right both politically and socially.
I support SB619.
Mary Guinger
926A Kaipii Street
96734

From: Elle Cochran [mailto:ellecochran@gmail.com]
Sent: Wednesday, February 11, 2009 12:38 PM
To: PSM Testimony
Subject: SB619 Relating To Voting

Aloha Chair Senator Espero & Vice Chair Bunda,

I wholeheartedly support this bill allowing incarcerated persons to vote. It's hard enough that a persons self-esteem drops and the feelings of worthlessness permeate a jail. Many people in jail want to productive members of society and have to wait until they get out to prove it. Having the option to vote while incarcerated will give them something positive to rally around and the feeling of being a part of society. This could only boost a persons self-esteem and self-worth so it will be an easier and more successful transition back into society.

Mahalo for your time and consideration,

Elle Cochran
281-7709

**TESTIMONY
SB 619 RELATING TO VOTING**

**Senate Committee on Public Safety and Military Affairs
Senator Will Espero, Chair**

**Thursday, February 12, 2009, 1:15 p.m.
Conference Room 229**

Chair Espero, Vice Chair Bunda, and Members of the Committee:

I am urging your support for SB 619, allowing persons who were Hawai'i residents at the time of their arrest to vote via absentee ballot in Hawai'i elections.

As a child I was heavily influenced by my grandfather, Ferris F. Laune, a prison social worker and reformer in Illinois and Hawai'i in the thirties, forties, and fifties . He worked with clients as famous as Al Capone, as controversial as Nathan Leopold, and as common as the lost souls he sometimes brought into our household to try to keep them out of prison. He believed in his very soul that every person convicted of a crime had the potential to turn around. (He did not, I must note, believe that every one would do so, just that they had that potential). He also scorned the efforts of prison bosses and politicians to deprive those who were incarcerated from opportunities to make positive changes.

Therefore I am speaking for both myself and for my grandfather, who would have been 114 this year, when I ask you to support the effort to give those who have been incarcerated the opportunity, and, most importantly, the civic responsibility to vote in Hawai'i's elections.

Sincerely,

Tom Aitken
PO Box 800
Kaneohe, HI 96744

From: Helen Kon [mailto:sugoishu1@yahoo.com]
Sent: Saturday, February 07, 2009 10:37 AM
To: PSM Testimony
Subject: Testimony on SB 619

COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS
Thursday, February 12, 2009
1:15 PM
Conference Room 229
SB 619 RELATING TO VOTING
STRONGLY SUPPORT

Thank you for the opportunity to submit my testimony.

I urge the committee to pass SB 619 for the following reasons:

The general public's turnout on primary and general election days have been below average, even with the highly touted Obama campaign.

The incarcerated former Hawaii residents are interested in the political issues and candidates because many of the issues affect them. Yet, they cannot vote for/against issues or for candidates they favor.

They must feel disenfranchised. Isn't voting part of equality for all? Unless a person has acted willfully against the United States, should not all be able to vote?

Forty percent of the women incarcerated are of Hawaiian ancestry. Should they not have a chance to vote for the very important Hawaiian issues and especially their OHA candidates?

I believe passage of this bill would help the morale of those incarcerated and benefit the State of Hawaii.

Elaine Funakoshi