

The Right to Vote – HB 70

An additional waiting period is the wrong approach

Kentuckians For The Commonwealth has worked on House Bill 70 for the past ten years. HB 70 proposes a constitutional amendment to automatically restore voting right to most former felons after they have served their time. Each year, the bill passes through the House with wide bipartisan support – as it is expected to do again this year – only to be stopped in the Senate. This year, Senate leaders are insisting on adding to HB 70 an additional five-year waiting period before voting rights would be restored.



KFTC opposes adding an additional waiting period to HB 70. Here's why:

1. **We already have a waiting period.** Kentuckians who qualify for voting rights restoration under HB 70 already have a waiting period built into the process through probation and parole. Those who are directly impacted by HB 70 must wait until they have completed probation and parole, as well as paid all fines and restitution. Adding anymore time to the bill would be an additional waiting period.
2. **Voting reduces recidivism.** The most difficult time for one to integrate back into society is immediately after serving out one's sentence. This is when we should be the most encouraging and offer avenues to fully participate in one's community – such as through voting. An additional waiting period tells a person they still aren't worthy. At least two states, Florida and Minnesota, have documented that voting significantly reduces recidivism and found consistent differences in "rates of subsequent arrests, incarceration, and self-reported criminal behavior."
3. **A waiting period makes Kentucky an outlier.** Nebraska and Wyoming are the only states to impose a waiting period after a person has completed his or her full sentence before they become eligible to vote.
4. **HB 70 is already a compromise.** Supporters of attaching a waiting period HB 70 say it is part of the process of compromising to get the bill passed; however, HB 70 is already the product of a compromise and includes plenty of exemptions and exclusions.
5. **HB 70 is the most streamlined option.** The more restrictions, exclusions, exemptions, and waiting periods added to the bill, the more complicated it is to administer and the more room for error. The process should be clear for those who are eligible for rights restoration, but also for those in charge of administering the process. Let's keep the bill and the process as simple as possible.
6. **The legislature is applying a judicial sentence.** Judges or juries set the length of probation or parole based on the severity of the offense. An additional waiting period of a pre-determined length set by the legislature fails to recognize differences in the type of felony committed. This additional waiting period could be longer than the actual sentence!

Felons Who Have Completed All Terms of Their Sentences Should Have The Right To Vote

– Kentucky Advisory Committee to the U.S. Commission on Civil Rights, 2009

7. **Restoration must win a public vote.** Any weakening of the legislation with a waiting period and other restrictions will erode public support and lessen chances of winning voter approval.

Sentence served, debt paid in full
Let's pass HB 70 as a clean bill – no waiting period, no attachments.