



EXECUTIVE CHAMBERS  
HONOLULU

LINDA LINGLE  
GOVERNOR

WRITTEN ONLY

Testimony of  
**Barry Fukunaga**  
Chief of Staff to the Governor

Before the  
**SENATE COMMITTEE ON JUDICIARY AND GOVERNMENT OPERATIONS**  
Friday, March 6, 2009, 11:00 p.m.  
Room 016, State Capitol

**S.B. 619, SD1 RELATING TO VOTING**

Chair Taniguchi, Vice Chair Takamine, and members of the Committee:

The Office of the Governor **opposes** S.B. 619, SD1.

This bill allows incarcerated offenders to retain their right 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 denies voting rights to individuals who have been convicted and incarcerated for deliberate criminal activities. The vast majority of the states 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, SD1.



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.

In addition, the temporary restriction of a person's right to vote while incarcerated due to their own willful criminal activities is appropriate and does not violate their constitutional rights. The right to vote is restored upon release from custody as is the case in forty-eight of the fifty states around the country.

The Department appreciates the intent of this measure; however, considering the facts provided in this testimony, and given the current fiscal difficulties, it would not be prudent to pursue enactment at this time.

Thank you for this opportunity to provide comments on this matter.

  
OFFICE OF HAWAIIAN AFFAIRS  
Legislative Testimony  
**SB 619, SD1**  
**Relating to Voting**

Date: March 6, 2009                      Time: 11:00 am  
Room: 016

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The Office of Hawaiian Affairs **supports SB 619, SD1.**

The purpose of this bill is to allow pa`ahao to vote in Hawaii elections through absentee ballot.

Throughout history, Native Hawaiians have endured many rights that have been taken away. The Bill of Rights allows the basic right to vote be afforded to all citizens of the United States, and pa`ahao should be included in this process. At the Hawaii State Hospital, the clients are afforded the right to cast a absentee ballot during the elections.

In the United States, there is an approximate 5.3 million Americans who cannot vote due to felony convictions. However, only Maine and Vermont, allows prisoners to cast their vote. Felony disfranchisement policies make it difficult for citizens to participate in a democratic process. The impact of felony disfranchisement usually occurs disproportionately in colored, minority communities. In Hawai`i, there are approximately 6,014 potential voters who are serving time in Hawai`i and mainland.

When pa`ahao are allowed to vote, it assists in the community re-entry process, as the individual tries to integrate back into society. This process of voting will allow individuals to be more participatory in their government, and care about the issues facing their community.

OHA would like to support SB 619, SD1 that allows pa`ahao their fundamental right to vote. Mahalo nui loa for allowing us to provide testimony.



BY EMAIL: JGOTestimony@Capitol.hawaii.gov  
Committee: Committee on Judiciary and Government Operations  
Hearing Date/Time: Friday, March 6, 2009, 11:00 a.m.  
Place: Room 016  
Re: Testimony of the ACLU of Hawaii in Strong Support of S.B. 619, SD1, Relating to Voting

Dear Chair Taniguchi and Members of the Committee on Judiciary and Government Operations:

The American Civil Liberties Union of Hawaii (“ACLU of Hawaii”) writes in strong support of S.B. 619, SD1, 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

American Civil Liberties Union of Hawai'i  
P.O. Box 3410  
Honolulu, Hawai'i 96801  
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E: [office@acluhawaii.org](mailto:office@acluhawaii.org)  
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Hon. Sen. Taniguchi, Chair, JGO Committee  
and Members Thereof  
March 6, 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. Taniguchi, Chair, JGO Committee  
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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

American Civil Liberties Union of Hawai'i  
P.O. Box 3410  
Honolulu, Hawai'i 96801  
T: 808.522-5900  
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E: [office@acluhawaii.org](mailto:office@acluhawaii.org)  
[www.acluhawaii.org](http://www.acluhawaii.org)



WOMEN'S CAUCUS

DEMOCRATIC PARTY OF HAWAII

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

March 6, 2009

To: Senator Brian Taniguchi, Chair  
Senator Dwight Takamine, Vice Chair and  
Members of the Committee on Judiciary and Government Operations

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

Re: SB 619 SD1 Relating to Voting  
(Hearing: March 6, 2009, 11:00 a.m.)

Position: STRONG SUPPORT

Thank you for allowing me to present written testimony today, in support of SB 619 SD1 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 SD1.

**League of Women Voters  
49 S. Hotel Street  
Suite 314  
Honolulu, Hawaii 96813**

To: Senator Brian T. Taniguchi, Chair  
Senator Dwight Y. Takamine, Vice Chair  
and Members of the Judiciary & Government Operations Committee

From: Suzanne Meisenzahl, Chair  
League of Women Voters of Hawaii  
Women's Health & Safety Committee

RE: SB619 Relating to Voting  
Friday, March 6, Rm. 016 @ 11:00 a.m.

The League of Women Voters supports the right of incarcerated persons to vote via absentee ballot in Hawaii's elections. The right of every citizen to vote has been a basic League principal since its origin. Incarceration does not mean a loss of citizenship. Voting is a fundamental citizen right that must be guaranteed for all.

Voting can be an opportunity for inmates to learn about 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.

Disenfranchisement based on criminal conviction has a disproportionate effect on communities of color. In Hawaii native Hawaiians make up 20% of the total population, yet they comprise 39% of the total disenfranchised population. Approximately 6000 Hawaiians are deprived of their fundamental right to vote because they are incarcerated for felonies.

Please consider extending voting rights to incarcerated people.

Thank you for the opportunity to testify.



TO: COMMITTEE ON JUDICIARY AND GOVERNMENT OPERATIONS

Sen. Brian Taniguchi, Chair  
Sen. Dwight Takamine, Vice Chair

Friday, March 6, 2009  
11:00 AM, Room 016

RE: SB 619 SD1, RELATING TO VOTING - **STRONG SUPPORT**

The Drug Policy Action Group strongly supports this enlightened bill which would allow incarcerated Hawai'i residents to vote.

Denying participation in the voting process further marginalizes individuals who have already gotten into trouble at least once. Research consistently demonstrates that engagement in family and community activities is a strong predictor of successful re-integration into society.

As a state with historically low voter turnout, we should be doing whatever we can to enhance participation in civic activities like voting.

Please do what Maine, Vermont and Puerto Rico have done and give prisoners the right to vote and help determine the state's – and their own – future.

Mahalo for the opportunity to testify.

**Drug Policy Action Group** · P.O. Box 61233 · Honolulu, HI 96839  
*phone/fax:* 808 988 4386 ~ *email:* plichty@dpfhi.org ~ *web:* www.dpfhi.org

Testimony for SB 619,  
SD1 relating to voting  
JGO Committee  
3/6/09, 11:00am, Rm. 16

Dear Senator Brian T. Taniguchi,  
Senator Dwight Y. Takamine,  
and all of the Judiciary and Government Operations Committee,

I am writing to strongly **support** SB 619 giving incarcerated peoples the right to vote via absentee ballot. Although a crime may have been committed, there are still inherent rights as U.S. citizens that do not get taken away; voting is one of those rights. The right to vote is a basic concept that should not be used as a punishment. We have jail time for punishment. People incarcerated should not be punished for being punished. As a progressive state, please pass this bill and enable our Hawaii citizens the right to vote. Serving time is a separate issue. Thank you kindly for reading my testimony.

Sincerely,

Dina Brooks  
MSW student at UH Manoa

BY EMAIL: JGOTestimony@Capitol.hawaii.gov  
Committee: Committee on Judiciary and Government Operations  
Hearing Date/Time: Friday, March 6, 2009, 11:00 a.m.  
Place: Room 016  
Re: Testimony of Moana Yost in Strong Support of S.B. 619, SD1, Relating to Voting

Dear Chair Taniguchi and Members of the Committee on Judiciary and Government Operations:

I write in strong support of S.B. 619, SD1, 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 disenfranchisement 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 disenfranchisement 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 disenfranchised. Since 1997, 19 states have made progressive changes to their felony disenfranchisement 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, disenfranchisement is detrimental to public safety. Voting demonstrates an individual's commitment to the institutions of American democracy. The irony of disenfranchisement 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, disenfranchising 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

Hon. Sen. Taniguchi, Chair, JGO Committee

and Members Thereof

March 4, 2009

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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

Thank you for this opportunity to testify.

Sincerely,

Moana Yost

Honolulu, Hawaii 96821

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, March 04, 2009 12:34 PM  
**To:** JGO Testimony  
**Cc:** jillf2184@yahoo.com  
**Subject:** Testimony for SB619 on 3/6/2009 11:00:00 AM

Testimony for JGO 3/6/2009 11:00:00 AM SB619

Conference room: 016  
Testifier position: support  
Testifier will be present: No  
Submitted by: Jill Friedman  
Organization: Individual  
Address: P.O. Box 1248 Kekahah, HI 96752  
Phone:  
E-mail: [jillf2184@yahoo.com](mailto:jillf2184@yahoo.com)  
Submitted on: 3/4/2009

Comments:

I support SB619 which would give incarcerated Hawaii residents the right to vote by absentee ballot. I believe that the right to vote is a natural, fundamental right that should not be withheld for any reason. It's also necessary for incarcerated individuals to vote in order to be empowered to prevent abusive conditions while incarcerated. I ask that you pass SB619 to allow incarcerated Hawaii residents to vote.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, March 04, 2009 8:53 PM  
**To:** JGO Testimony  
**Cc:** babsonb001@hawaii.rr.com  
**Subject:** Testimony for SB619 on 3/6/2009 11:00:00 AM

Testimony for JGO 3/6/2009 11:00:00 AM SB619

Conference room: 016  
Testifier position: support  
Testifier will be present: No  
Submitted by: Bob Babson  
Organization: Individual  
Address: 3371 Kaha Drive Kihei, HI 96753  
Phone: 808 874-1166  
E-mail: [babsonb001@hawaii.rr.com](mailto:babsonb001@hawaii.rr.com)  
Submitted on: 3/4/2009

**Comments:**

All citizens should have the right to vote - even if they are convicted felons. This is America and everyone should vote.

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 Gail P. Gnazzo, MS in Strong Support of S.B. 619, Relating to Voting

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 disenfranchisement 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 disenfranchisement 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 disenfranchised. Since 1997, 19 states have made progressive changes to their felony disenfranchisement 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, disenfranchisement is detrimental to public safety. Voting demonstrates an individual's commitment to the institutions of American democracy. The irony of disenfranchisement 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, disenfranchising 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

Thank you for this opportunity to testify.

Sincerely,

Name

Position

City, Zip Code

**Claire Woods, M.ed.  
731 Wanaao Road  
Kailua, HI 96734**

**TESTIMONY IN SUPPORT of SB619( SD1)**

Senator Brian Taniguchi  
Chair, Committee on the Judiciary and Government Operations

Senator Dwight Takamine Vice Chair  
Committee on the Judiciary and Government Operations.

I would like to extend my heartfelt support for this measure. Voting is the essential basis of our democracy; a privilege to have. If we truly believe in rehabilitation in our correctional system, allowing those who are incarcerated to cast their vote via absentee ballots sends out a message of faith in their personal worth – their decision and choices make a difference and are valued. It is one more step in their re-entry back into society. The message is clear and important for them to remember: Their vote truly counts and makes a difference.

Please, pass this bill.

---

**From:** DDMaria121212@aol.com  
**Sent:** Thursday, March 05, 2009 9:01 AM  
**To:** JGO Testimony  
**Subject:** SB619 voting rights restoration

Hello, thank you for taking my brief comment on the subject.

I feel that it is imperative that the incarcerated and formerly incarcerated citizens of the State of Hawaii be allowed to vote, and become a part of the jury pool subsequent to having their Right to Vote restored. People would definitely be encouraged by this new law, to Register to vote, and actually use their vote to elicit needed changes in their homeland. The inmates and former inmates are citizens, and as such, deserve to have their voices heard.

Thank you,

Diane DiMaria  
Santa Cruz, Ca.

Mother of Richard Damian Serrano, an Innocent man framed by DA Kimura.  
My son registered to vote in 1988 on his 18th birthday, in California. He now lives in the Saguaro Correctional Center in Arizona. He is on Appeal. An Ethics Investigation will soon be underway regarding Prosecutorial and Police Misconduct and crimes committed against my innocent son in Hilo.

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**TESTIMONY**  
**SB 619**  
**ROOM 016**  
**3/06/2009**  
**11:00 AM**

Judiciary and Government Operations Committee

Chair Taniguchi and Members of the Committee:

I urge your support for SB 619.

Jory Watland



## COMMITTEE ON JUDICIARY AND GOVERNMENT OPERATIONS

Sen. Brian Taniguchi, Chair

Sen. Dwight Takamine, Vice Chair

Friday, March 6, 2009

11:00 AM

Room 016

### STRONG SUPPORT - SB 619 SD1 RELATING TO VOTING

Aloha Chair Taniguchi, Vice Chair Takamine and Members of the Committee!

My name is Carrie Ann Shirota, and I am writing in strong support of SB 619 SD1 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 SD1!

Respectfully submitted,

Carrie Ann Shirota, Esq.  
Wailuku, Hawai'i 96793  
(808) 269-3858

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**From:** Jyoti Mau [light@jyotimau.com]  
**Sent:** Thursday, March 05, 2009 12:28 PM  
**To:** JGO Testimony  
**Subject:** Strong Support

**COMMITTEE ON JUDICIARY AND GOVERNMENT OPERATIONS**

Sen. Brian Taniguchi, Chair

Sen. Dwight Takamine, Vice Chair

Friday, March 6, 2009

11:00 AM

Room 016

**SB 619 SD1**

**Dear Senators,**

**I am writing in strong support SB 619 SD1, Thank you!!**

**Aloha,**

**Jyoti Mau**