



**EXECUTIVE CHAMBERS**  
HONOLULU

LINDA LINGLE  
GOVERNOR

WRITTEN ONLY

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

Before the  
**HOUSE COMMITTEE ON PUBLIC SAFETY**  
Thursday, March 19, 2009, 8:30 a.m.  
Room 309, State Capitol

**S.B. 619, SD2 RELATING TO VOTING**

Chair Hanohano, Vice-Chair Aquino, and Members of the Committee:

The Office of the Governor **opposes** S.B. 619, SD2.

This bill allows incarcerated offenders to vote, via absentee ballot, within two years prior to their discharge from confinement.

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, SD2.

LINDA LINGLE  
GOVERNOR



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

**CLAYTON A. FRANK**  
DIRECTOR

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Deputy Director  
Corrections

**JAMES L. PROPOTNICK**  
Deputy Director  
Law Enforcement

No. \_\_\_\_\_

**TESTIMONY ON SENATE BILL 619, SD2  
RELATING TO VOTING**

By  
Clayton A. Frank, Director  
Department of Public Safety

House Committee on Public Safety  
Representative Faye. P. Hanohano, Chair  
Representative Henry J.C. Aquino, Vice Chair  
Thursday, March 19, 2009; 8:30AM  
State Capitol, Conference Room 309

Representative Hanohano, Representative Aquino, and Members of the Committee:

The Department of Public Safety (PSD) appreciates the legislature's interest in this allowing those incarcerated to right to vote. However, the PSD does not support SB 619, SD2. The vast majority of the states around the county do not allow 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 that victimize the community

Section 2 (a)(7) – (Page 4, Line 4 thru 7) of this measure does not take into account that some offenders prior to their incarceration may have been homeless and/or they have been incarcerated for a number of years. As such, the incarcerated person's "last voluntary residence" may no longer exist due to development/redevelopment, and/or the area having undergone redistricting.

It should also be noted that Section 4(b) (Page 5, Line 12 thru Line 20) of this measure does not provide the funding to the Chief Elections Officer to develop "special ballots" that would be necessary in order to comply with the requirement of this measure. Further, it is PSD's understanding that pre-paid return envelopes are provided to all registered absentee voters.

In addition, while Section 5(b) (Page 7, Line 1 thru Line 7) of this measure clarifies that an incarcerated person may vote during the period commencing two years prior to the person's scheduled final discharge from imprisonment, if enacted, SB 619, SD2 would still place a financial burden and the State and/or the Counties to develop, implement, and operate a new absentee balloting system for person's incarcerated due to their own willful criminal victimization of the community.

This measure does not consider that fact that a great deal of offenders use multiple names, social security numbers, dates of births, and various addresses in their efforts to elude law enforcement. This measure also fails to consider the fact that there is no way for the Office of Elections or the various County Clerks to address the real potential for voter fraud as these entities have no way to verify the previous residence information provided by the incarcerated person.

The Department appreciates the intent of this measure; however, given the current fiscal difficulties, and the real possibility of large-scale voter fraud, it would not be prudent to pursue enactment at this time. Therefore, the PSD requests that this measure be held.

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

  
OFFICE OF HAWAIIAN AFFAIRS  
Legislative Testimony  
**SB 619, SD2**  
**Relating to Voting**

Date: March 19, 2009                      Time: 8:30 am  
Room: 309

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The Office of Hawaiian Affairs **supports SB 619, SD2.**

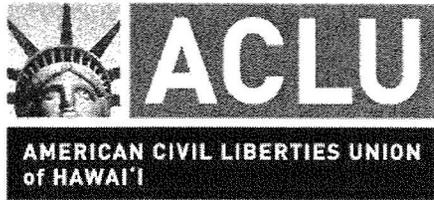
The purpose of this bill is to allow pa`ahao to vote in Hawaii elections through absentee ballot.

Throughout history, the inherent rights of indigenous peoples such as Native Hawaiians have been taken away. The Bill of Rights affords all citizens of the United States to vote, and pa`ahao (inmates) should be included in this process. At the Hawaii State Hospital, the clients who have legal charges are afforded the right to cast an 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 on the mainland.

When pa`ahao are allowed to vote, it assists with the community re-entry process, as the individual builds a sense of belonging to society. This process of voting will allow individuals to be more participatory in developing a vibrant government.

OHA would like to support SB 619, SD2 to allow pa`ahao their fundamental right to vote. Mahalo nui loa for allowing us to provide testimony.



BY EMAIL: PBSTestimony@Capitol.hawaii.gov  
Committee: Committee on Public Safety  
Hearing Date/Time: Thursday, March 19, 2009, 8:30 a.m.  
Place: Room 309  
Re: Testimony of the ACLU of Hawaii in Strong Support of S.B. 619, SD2, Relating to Voting

Dear Chair Hanohano and Members of the Committee on Public Safety:

The American Civil Liberties Union of Hawaii ("ACLU of Hawaii") writes in support of S.B. 619, SD2, which seeks to allow incarcerated persons who were Hawaii residents at the time of their arrest and who have no more than two years left before release from imprisonment, to vote by absentee ballot in Hawaii's elections.

The ACLU of Hawaii applauds this Committee for hearing S.B. 619, SD2 and recognizing the importance of allowing all citizens to vote. SB 619, SD2 is a substantial step towards achieving a strong and true democracy in Hawaii.

#### **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.

American Civil Liberties Union of Hawaii  
P.O. Box 3410  
Honolulu, Hawaii 96801  
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E: [office@acluhawaii.org](mailto:office@acluhawaii.org)  
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Hon. Rep. Hanohano, Chair, PBS Committee  
and Members Thereof  
March 19, 2009  
Page 2 of 3

**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. Given

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and Members Thereof  
March 19, 2009  
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### **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 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

# COMMUNITY ALLIANCE ON PRISONS

76 North King Street, Honolulu, HI 96817

Phone/E-Mail: (808) 533-3454/[kat.caphi@gmail.com](mailto:kat.caphi@gmail.com)



## COMMITTEE ON PUBLIC SAFETY

Rep. Faye Hanohano, Chair

Rep. Henry Aquino, Vice Chair

Thursday, March 19, 2009

8:30 AM

Room 309

## STRONG SUPPORT

**SB 619 SD2 - Voting Rights for Incarcerated Individuals**

[PBSTestimony@capitol.hawaii.gov](mailto:PBSTestimony@capitol.hawaii.gov)

Aloha Chair Hanohano, Vice Chair Aquino 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 SD2 allows incarcerated persons who were Hawai'i residents at the time of their arrest and who have no more than two years left before release from imprisonment, to vote by absentee ballot in Hawai'i's elections.

Community Alliance on Prisons is in strong support of civic literacy and we see granting incarcerated individuals the right to vote as a way to encourage civic engagement. Hawai'i's embarrassing voting numbers should force the state to look for ways to involve more citizens in the electoral process. Voting is a fundamental right of democracy and connecting citizens to this process 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 engage 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.

Felon disenfranchisement (denying voting rights), is an emerging issue across the nation as part of a comprehensive reentry strategy. The original version of SB 619 restores voting rights to individuals who want to be engaged citizens in the electoral process and our democracy. I know that there are incarcerated individuals interested in participating. I spoke to a class at OCCC the other week and the men were very interested in public policy and asked many great questions about bills going through the legislature as well as Hawai'i's dire financial situation.

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 in its original form.

Mahalo for this opportunity to testify.



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 19, 2009

To: Representative Faye Hanohano, Chair  
Representative Henry Aquino, Vice Chair and  
Members of the Committee on Public Safety

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

Re: SB 619 SD2 Relating to Voting  
(Hearing: March 19, 2009, 8:30 a.m.)

Position: STRONG SUPPORT

Thank you for allowing me to present written testimony today, in support of SB 619 SD2 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. We suggest however, that the provision limiting voting rights to those inmates with less than two years be removed. It adds a layer of bureaucracy and makes implementation of this proposal more difficult and cumbersome. Voting rights should be extended to all.

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 SD2.

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

To: Rep. Faye P. Hanohano, Chair  
Rep. Henry J. C. Aquino, Vice Chair  
and Members of the Public Safety Committee

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

RE: SB619 SD2 Relating to Voting  
Thursday, March 19, Rm. 309 @ 8:30 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.

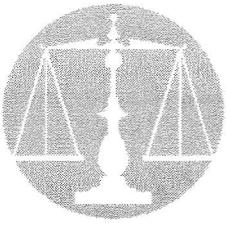
Voting can be an opportunity for inmates to learn about candidates and issues, engage in civic education, and prepare for reintegration into society. Inmates will remain aware of the issues that are important to society so that they may participate more fully in their communities upon release.

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 disfranchised population. Approximately 6000 Hawaiians are deprived of their fundamental right to vote because they are incarcerated for felonies.

SD2 will provide rights only to those incarcerated people with two years or less on their sentence. This will add layers of unnecessary bureaucracy to the department of public safety and we would ask that consider removing this provision.

Please consider extend voting rights to incarcerated people for the entire length of their sentence.

Thank you for the opportunity to testify.



## **COMMITTEE ON PUBLIC SAFETY**

Rep. Faye P. Hanohano, Chair

Rep. Henry J.C. Aquino, Vice Chair

Thursday, March 17, 2009

8:30am in Room 309

### **STRONG SUPPORT WITH AMENDMENT: SB 619 SD2 RELATING TO VOTING**

Aloha Chair Hanohano, Vice Chair Aquino and Members of the Committee!

My name is Carrie Ann Shirota, and I am writing in strong support of SB 619 SD2 Relating to Voting, with an amendment. 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."

**Suggested Amendment.** The current draft would only extend the right to vote to incarcerated persons with a felony conviction two years prior to their release. This limitation does not make any sense for the

reasons outlined above. ***In addition, limiting the right to vote to persons two years from their release date would create difficulties in determining who would be eligible – since Hawai`i has indeterminate sentencing and parole.*** Please do not weaken the original intent of this bill. Please allow all incarcerated persons the right to vote and engage in the civic process!

Please pass SB 619 SD2 with the suggested amendment!

Respectfully submitted,

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

Committee: Committee on Public Safety  
Hearing Date/Time: Thursday, March 19, 2009, 8:30 a.m.  
Place: Room 309  
Re: Testimony of Gail P. Gnazzo in Strong Support of S.B. 619, SD2, Relating to Voting

Dear Chair Hanohano and Members of the Committee on Public Safety:

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 and who have no more than two years left before release from imprisonment, to vote by absentee ballot in Hawaii's elections.

I applaud this Committee for hearing this bill and recognizing the importance of allowing all citizens to vote. SB 619, SD2 is a substantial step towards achieving a strong and true democracy in Hawaii. 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. 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. Thank you.

Sincerely,

Gail P. Gnazzo, M.S.  
Makawao, Maui, Hi 96768

March 18, 2009

Committee: Committee on Public Safety  
Hearing Date/Time: Thursday, March 19, 2009, 8:30 a.m.  
Place: Room 309  
Re: Testimony of Sheryl L. Nicholson in Strong Support of S.B. 619, SD2,  
Relating to Voting

Dear Chair Hanohano and Members of the Committee on Public Safety:

I write in strong support of S.B. 619, SD1, which, if enacted, will allow incarcerated persons who were Hawai`i residents at the time of their arrest and who have no more than two years left before release from imprisonment, to vote by absentee ballot in Hawai`i's elections.

Thank you for hearing this bill and reaffirming the importance of allowing all citizens to vote. Voting is a fundamental right and essential to American democracy. Disfranchisement due to a felony conviction is a policy with deeply racist roots. In Hawai`i, disfranchisement has a particularly disproportionate effect on native Hawaiians, who comprise 39% of the total disfranchised population, though they comprise only 20% of the total population of Hawai`i. 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.

Hawai`i should join the national trend of providing access to the polls to those who are incarcerated. Since 1997, 19 states have made progressive changes to their felony disfranchisement laws, allowing over 700,000 formerly incarcerated individuals to vote, and yet only Maine and Vermont currently allow incarcerated individuals to vote. By passing this bill, Hawai`i will join Maine and Vermont in the forefront of restoring this fundamental right to at least a portion of that community.

Thank you for this opportunity to testify.

Respectfully submitted,

Sheryl L. Nicholson, Esq,  
1001 Bishop Street, Suite 1300  
Honolulu, Hawai`i 96813  
Tel.: (808) 524-1212

COMMITTEE ON PUBLIC SAFETY

Thursday, March 19, 2009

08:30 AM

Conference Room 309

SB 619 SD2 - 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 inmates are very interested in what goes on in the legislature. They have been monitoring the bills that affect them and are thankful that they have not been forgotten and thrown out like trash by people like you who are seeing them as human beings.

There should be no conditions in the bill. All inmates who are residents of Hawaii and registered at the time of incarceration should be able to vote as is their constitutional right as citizens of the State of Hawaii. Give them a voice in government and not disenfranchise them.

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 boost the morale of those incarcerated and benefit the State of Hawaii.

Elaine Funakoshi