

Voting and persons convicted of a felony

- Iowa is the only remaining state with a lifetime ban that restricts persons convicted of a felony from voting.
- Currently, persons convicted of a felony who have completed their sentence may apply for restoration of eligibility to vote, which may be granted by the governor.
- The governor also has the power to issue an executive order restoring to persons convicted of a felony and who have discharged their sentence the right to vote.
- About 60,000 Iowans (around 2% of Iowa's population) have been disenfranchised by this constitutional restriction on voting.
- In 2019 the Iowa House voted 95-2 in support of **HJR 14**, an amendment to the Iowa Constitution removing the words "infamous crime" and thereby allowing a person convicted of a felony to be eligible to vote once the person has "discharged his or her sentence." (new language in the amendment)
- **HJR 14** was proposed by the governor and had strong Republican support in the Iowa House.
- Restoring eligibility to vote has received broad **bipartisan** support among legislators (demonstrated by the 2019 vote in the House), among citizens, and numerous organizations across the state of Iowa.
- A constitutional amendment must be approved in the same form by two sessions of the legislature (four year time period) and then by the voters.

Restoration doesn't undermine restitution

- People from all walks of life are convicted of felonies, but there is a disproportionate impact on minorities and the poor.
- Requiring complete payment of restitution as a condition for eligibility to vote means many persons convicted of a felony who have lower income will likely never get to vote, while those with higher income will.
- This is equivalent to the poll taxes that were banned by the 24th Amendment to the U. S. Constitution 56 years ago. (ratified January 23, 1964)
- A requirement for full payment of restitution before restoring the right to vote don't necessarily make people safer – it simply extends punishment.
- Restoring eligibility to vote doesn't mean payment of restitution is no longer required.
- Withholding the right to vote until fees, fines, court costs, or victim restitution is paid does not help anyone pay any faster if he doesn't have the money or a way to earn it.
- Right now people have to pay, and still will, if this constitutional amendment passes. Schedules may be set up for payment of restitution, and currently well over two-thirds are making regular payments. Exceptions may be made for those found unable to pay.

- *Payment of restitution doesn't make us safer and withholding restoration of eligibility to vote doesn't help anyone make restitution payments any faster.*

Second chances

- Most Iowans, regardless of political affiliation, believe that people who make a mistake deserve a second chance and that they should be able to re-enter as full members of the community, which means the eligibility to vote like everyone else. (Feb. 19, 2019 DM Register poll-2/3 of Iowans polled support restoration of voting rights)
- Persons who have completed all their sentence and have their eligibility to vote restored would still have to register to vote, just like everyone else.
- Persons who can again exercise their right to vote report regaining a sense of dignity and hope as a participating member of the community. Isn't that what we want?

Another administrative mess possible

- Regarding persons convicted of a felony and the Iowa voting lists, the record keeping has been riddled with inaccuracies.
- The errors have led to inconsistency, confusion at polling places about whether or not a person may vote, and in some cases disenfranchisement.
- The Iowa Secretary of State now says that the errors have been corrected, but what's to keep mistakes from creeping in again?
- Sometimes people have a hard time figuring out exactly how much they owe for restitution, especially because several types of restitution and different agencies or courts may be involved.
- Information specific to Iowa is available at the website **Criminal Justice Policy Program at Harvard Law School** (cjdebtreform.org), including the Criminal Justice Debt Reform Builder – fees and fines imposed by courts and other entities, and debt payment / restitution in Iowa.
- It's unknown if a requirement for full payment of restitution before restoring eligibility to vote were to be approved, whether there would be a need for a new administrative system or entity to track who has paid, how much, and to whom. The already complex system and numerous types of fees, fines and restitution in the Code of Iowa or ordered by the courts could mean that a number of different entities over-seeing those payments would have to report the payment data to some administrative system or entity. All this just to determine whether or not a person is eligible to vote.
- What would be the benefit, in return for the dollars we taxpayers would pay, for either an additional system or added responsibility for an existing entity to track restitution payments for the purpose of determining voter eligibility?
- If the added requirements proposed in **SF 2129** do not help a person pay his fees, fines or restitution and do not make us safer, we say don't vote for it.

Restore the eligibility to vote as proposed in HJR 14 without added conditions.

