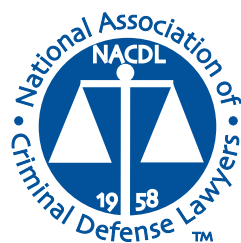


National Association of Criminal Defense Lawyers



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June 6, 2014

Re: Your Support for Democracy Restoration Act (S. 2235 / H.R. 4459)

Dear Member of Congress:

The National Association of Criminal Defense Lawyers (NACDL) thanks you for supporting the Democracy Restoration Act of 2014, which would allow individuals who have been convicted of a criminal offense to vote in federal elections except during incarceration. NACDL is the preeminent organization representing America's criminal defense bar. Founded in 1958, NACDL's approximately 10,000 direct members – and 90 state, local and international affiliates totaling up to 40,000 members – include private criminal defense lawyers, public defenders, active-duty military defense counsel, law professors, and judges committed to preserving fairness within America's criminal justice system.

Based on nationwide hearings with more than 150 witnesses, NACDL's recently released report, entitled *Collateral Damage: America's Failure to Forgive or Forget in the War on Crime* (at nacdl.org/restoration/roadmapreport), identifies best practices for restoring the rights and status of individuals following conviction. The report urges that the United States “embark on a national effort to end the second class legal status and stigmatization of persons who have fulfilled the terms of a criminal sentence.” To this end, the report recommends that mandatory collateral consequences be abandoned unless there is an evidence-based public safety benefit that significantly outweighs the disadvantages.

Depriving citizens of one of the most fundamental constitutional rights of our American democracy – the right to vote – serves no public safety purpose. Almost 6 million Americans are denied the right to vote as a collateral consequence of a felony conviction. Disturbingly, in Florida, Kentucky, and Virginia, one in five African-Americans is denied the right to vote because of a felony conviction. By contrast, other states, like Maine and Vermont, have been allowing prisoners to vote by absentee ballots for years. No matter their state of residence, citizens rejoining the community after release from incarceration should be allowed to rejoin democratic life as well.

Also in keeping with the Democracy Restoration Act's provisions, NACDL's report highlights the importance laws requiring notification that one's rights have been restored. The report found that even when individuals lived in states where their voting rights were automatically restored, they were often unaware of this. The Democracy Restoration Act would require that states notify people about their right to vote in federal elections when they are leaving prison, sentenced to probation, or convicted of a misdemeanor.

The Democracy Restoration Act is an essential component of the bipartisan effort to ensure that persons released from prison are given a second chance to become contributing members of society. NACDL stands ready to assist you in your efforts to enact this crucial legislation.

Sincerely,

A handwritten signature in black ink, reading "Jerry J. Cox". The signature is fluid and cursive, with the first name "Jerry" and middle initial "J." written in a connected style, followed by the last name "Cox".

Jerry Cox
President