Legislation Text

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Proposed Res. No. 547-A

Resolution calling upon the New York State Legislature to pass a bill to restore the right to vote for parolees, and also calling upon the United States Congress to pass H.R.259, also known as the Civic Participation and Rehabilitation Act of 2003, to secure the federal voting rights of persons who have been released from incarceration.

By Council Members Perkins, Barron, Clarke, Comrie, Davis, Foster, Jackson, Lopez, Sanders, Seabrook, Serrano, Vann, Brewer, and Reyna; also Council Member Stewart

Whereas, The right to vote is a fundamental right and one of the most basic constitutive acts of citizenship; and

Whereas, In 2000, 4.65 million Americans, including 131,273 New Yorkers, were barred from exercising their right to vote due to restrictive felony disenfranchisement laws across the country; and

Whereas, The federal government leaves it to states to determine the qualifications for voting, resulting in enormous variations in voting eligibility from state to state; and

Whereas, The absence of a uniform standard for restoring the right to vote to ex-offenders has led to an unfair disparity and unequal participation in elections that depends solely upon where an ex-offender resides; and

Whereas, According to Demos, voting rights in seventeen states and the District of Columbia are restored upon release from prison, in twenty eight states after a probation term, in thirty two states after completing a parole term, in thirteen states, effectively never, and in some states only after fines are paid; and

Whereas, New York is one of the thirty-two states that prevents convicted offenders from voting while they are on parole; and

Whereas, To remedy New York's disenfranchisement of persons on parole, New York State Senate bill S.2039, introduced by Senator Duane in the 2001-2002 legislative session, would grant a convicted felon the right to register to vote at any election at such time that he or she is released from prison on parole; and

Whereas, Although this effort would restore the vote to many disenfranchised New Yorkers, the fact remains that 13 states bar criminal offenders from voting even after they have fully served their sentences, regardless of the nature or seriousness of their crimes; in these states, according to Human Rights Watch, over one million ex-offenders have become permanently disenfranchised; and

Whereas, While in some states that permanently disenfranchise ex-offenders, the right to vote can be restored by receiving a pardon from the Governor or through the introduction and passage of a state bill, both of which require significant financial and political resources making the possibility of regaining the right to vote in these states, at best, illusory; and

Whereas, Further, disenfranchisement laws disproportionately impact minority communities, particularly African-American and Hispanic communities, as 1.4 million African-American males are currently disenfranchised, resulting in a total of 13 percent of African-American men in the United States being denied the right to vote and the opportunity to participate in the democratic process; and

Whereas, H.R.259, recently introduced by Rep. John Conyers, seeks to remedy the inter-state discrepancies in the voting eligibility of ex-offenders by securing federal voting rights for those persons who have been released from incarceration; and

Whereas, Disenfranchisement laws discourage ex-offenders from reintegrating into their communities because those who cannot participate in the democratic process are more isolated from and identify less with their communities; and

Whereas, Voting is fundamental to democracy and punishment by suspension of this fundamental right should not continue once an individual has served his or her sentence and repaid his or her debt to society; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass a bill to restore the right to vote for parolees, and also calls upon the United States Congress to pass H.R.259, also known as the Civic Participation and Rehabilitation Act of 2003, to secure the federal voting rights of persons who have been released from incarceration.

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