



Legislation Text

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Res. No. 354

Resolution calling upon the New York City Council to support granting voting rights to imprisoned citizens and further calling upon the New York State Legislature to amend the Election Law to reflect this change.

By Council Members Barron, Mark-Viverito, Palma and Foster

Whereas, Disenfranchisement laws are a vestige of medieval times when offenders were banished or suffered a “civil death”; and

Whereas, Although the right to vote in local, state and national elections assures some level of democratic representation for all United States citizens, this right is denied to nearly 5 million voting-age Americans who have been convicted of a felony; and

Whereas, The Constitution’s 15th Amendment prohibits the denial or abridgment of a citizen’s right to vote; and

Whereas, In New York, African-Americans and Latinos compose 31% of the general population, but 81% of the State’s current prison population; and

Whereas, According to *Living Black History* by Manning Marable, while imprisoned citizens cannot vote, their numbers are calculated as part of the residential population of the district where incarcerated for purposes of determining boundaries of state legislative districts, thereby creating a diminishment of minority representation while simultaneously benefiting other constituencies; and

Whereas, Eighteen European democracies permit incarcerated citizens to vote, as does South Africa, Canada and Puerto Rico; and

Whereas, The European Court of Human Rights has condemned blanket prohibitions of prisoner voting as unacceptable; and

Whereas, The states of Vermont and Maine both permit incarcerated citizens to vote; and

Whereas, The removal of a prisoner's voting rights takes place outside the criminal justice sentencing process, with no consideration as to whether or not it is an appropriate punishment; now, therefore, be it

Resolved, That the New York City Council supports granting voting rights to imprisoned citizens and further calls upon the New York State Legislature to amend the Election Law to reflect this change.

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