

# SENATE BILL REPORT

## SB 5207

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As Passed Senate, February 25, 2019

**Title:** An act relating to notification of felony voting rights and restoration.

**Brief Description:** Concerning notification of felony voting rights and restoration.

**Sponsors:** Senators Dhingra, Hunt, Saldaña, Darneille, Das, Cleveland, Kuderer, Pedersen, Salomon, Nguyen, Rolfes, Hasegawa, Keiser and Randall.

**Brief History:**

**Committee Activity:** State Government, Tribal Relations & Elections: 1/30/19, 2/01/19 [DP].

**Floor Activity:**

Passed Senate: 2/25/19, 37-12.

**Brief Summary of Bill**

- Requires the Department of Corrections (DOC) notify an inmate of the process for restoring voting rights prior to termination of DOC authority over the inmate.
- Requires that DOC provide an inmate leaving DOC authority with a voter registration form and instructions.

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### SENATE COMMITTEE ON STATE GOVERNMENT, TRIBAL RELATIONS & ELECTIONS

**Majority Report:** Do pass.

Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Bailey, Hasegawa and Takko.

**Staff:** Samuel Brown (786-7470)

**Background:** Voter Registration. Persons who are age eighteen or older, are United States citizens, have lived in the state, county, and precinct for 30 days immediately preceding an election, and have not been convicted of an infamous crime are entitled to vote under the Washington State Constitution. A person with a felony conviction may have their voting rights provisionally restored upon completion of their sentence in a DOC facility and, if

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applicable, completion of a period of community custody. A provisional restoration of voting rights may be revoked if the person fails to comply with legal financial obligations.

A person may have their voting rights permanently restored after serving a sentence for a felony conviction by:

- a certificate of discharge issued by the sentencing court;
- a court order restoring voting rights;
- a final order of discharge issued by the Indeterminate Sentence Review Board; or
- a certificate of restoration issued by the Governor.

Community Custody. Certain felony offenses require the offender to serve a period of community custody after completing their sentence in a DOC facility, with periodic reporting to DOC and certain court-imposed conditions. These offenses include:

- persons convicted of sex offenses or serious violent offenses must serve 36 months of community custody;
- persons convicted of other violent offenses must serve 18 months of community custody; and
- persons convicted of crimes against persons, gang members or associates convicted of unlawful possession of a firearm, persons convicted of controlled substance violations, and persons committing a first failure to register must serve 12 months of community custody.

Reentry and Applicable Documents. DOC must develop individual reentry plans for persons leaving the authority of DOC after completion of their sentence and, if applicable, terms of community custody. The reentry plan must contain a plan to maintain family contact, an individualized portfolio of achievements while incarcerated, and a plan that includes education, employment, substance abuse and mental health treatment, family reunification, and other areas needed to facilitate successful reintegration. The American Civil Liberties Union voting guide is included in the release paperwork for persons releasing from a prison or work release facility.

**Summary of Bill:** Prior to termination of DOC authority over an inmate, DOC must notify the inmate of the process for provisional and permanent restoration of voting rights. DOC must also provide the inmate with:

- a voter registration form and instructions for returning the form by mail; and
- information regarding registering to vote in person and electronically.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: This is a simple bill that makes individuals aware of the process and gives them the information they need to register so that they are

welcomed back into the community. Democracy works best when all voices have an opportunity to be heard.

**Persons Testifying:** PRO: Senator Manka Dhingra, Prime Sponsor; Julie Wise, King County Director of Elections.

**Persons Signed In To Testify But Not Testifying:** No one.