



RESEARCH AND ADVOCACY FOR REFORM

The Honorable Charles E. Schumer  
Senate Majority Leader  
United States Senate  
Washington, DC 20510

The Honorable Mitch McConnell  
Senate Minority Leader  
United States Senate  
Washington, DC 20510

June 22, 2021

**Re: Pass the For the People Act (S.1), with Democracy Restoration Act provision**

Dear Majority Leader Schumer and Minority Leader McConnell,

I write on behalf of The Sentencing Project to urge passage of S.1, the For the People Act, including its Democracy Restoration Act provision to restore federal voting rights to the majority of the 5.2 million United States citizens who are disenfranchised because of their felony record.<sup>1</sup> The Sentencing Project believes the criminal justice system should not dictate who gets a say in our democracy, and urges the bill's unamended approval.

The Democracy Restoration Act would help eliminate the vast disparities in state laws concerning voting rights for people with felony convictions. In 30 states, people on parole or probation are ineligible to vote. Several states deny the right to vote to those convicted of certain misdemeanors, and in 11 states, a felony conviction can result in lifetime disenfranchisement.

Beyond generating widespread inequities in American democracy, disparities in state election laws have also spurred confusion and misinformation among justice-impacted individuals and election officials alike. Some states have illegitimately purged hundreds of voters from the rolls due to supposed criminal convictions.<sup>2</sup> Among the formerly incarcerated, confusion about state election law has dissuaded many from casting a ballot, and in others, it has led to their re-criminalization. For example, Texas resident Crystal Mason was sentenced to five years in prison in 2018 for casting a provisional ballot while on probation because she was unaware she was ineligible to vote.<sup>3</sup>

Felony disenfranchisement has also generated broad racial disparities in American democracy. The United States maintains the highest incarceration rate in the world, and the justice-

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<sup>1</sup> The Sentencing Project (2021). *Expanding Voting Rights to All Citizens in the Era of Mass Incarceration*.

<sup>2</sup> Brennan Center (2018). *Purges: A Growing Threat to the Right to Vote*.

<sup>3</sup> American Civil Liberties Union (2018). *Crystal Mason Thought She Had the Right to Vote. Texas Sentenced Her to Five Years in Prison for Trying*.

impacted population is disproportionately made up of communities of color due to biases in the criminal legal system. One in every 16 Black Americans are disenfranchised, a rate four times higher than the rest of the U.S. population. Moreover, the Latinx population is disenfranchised at a higher rate than the general population in 34 states.<sup>4</sup>

Within this context, S. 1's Democracy Restoration Act provision would establish a uniform standard for federal elections, strengthen our democracy by expanding the electorate and creating a more just base for voter participation, and eliminate confusion about voter eligibility. The Sentencing Project urges you and your colleagues to pass S.1 without any amendments to the bill that would limit eligibility for the voting rights restoration provision.

For questions, please contact Kara Gotsch, The Sentencing Project's Deputy Director, at [kgotsch@sentencingproject.org](mailto:kgotsch@sentencingproject.org) or 202-628-0871, ext. 103.

Sincerely,

A handwritten signature in cursive script, appearing to read "Amy Fettig".

Amy Fettig  
Executive Director

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<sup>4</sup> The Sentencing Project (2020). *Locked Out 2020: Estimates of People Denied Voting Rights Due to a Felony Conviction*.