



June 8, 2021

Let's Reinstate Voting Rights to Those Who are Incarcerated

We want to expand, not restrict, voting rights for citizens, and I have been working on legislation since 2017 that would remove barriers to voting for incarcerated community members.

That's why I introduced House Bill 1842 and am the House Sponsor of the similar Senate Bill 0828 in this current legislative session. HB 1842 which would repeal provisions that prohibit a person that is serving a sentence of confinement in any penal institution from voting until his or her release from confinement. As noted in testimony by the Chicago Lawyers' Committee for Civil Rights, HB 1872 would be a step toward healing from the racist history of felony disenfranchisement.

According to the Chicago Lawyers' Committee for Civil Rights, "After the civil rights movement of the 1960s, Southern states purged their constitutions of their most egregious racist provisions. But most states left intact their felony disenfranchisement laws and, implicitly, their racist intent. Today, the United States maintains far greater restrictions on voting while in prison than any other democratic country in the world. The Supreme Courts of Canada and South Africa have both protected voting rights in prisons." In the District of Columbia and in two states, Maine and Vermont, inmates never lose their right to vote, even when incarcerated.

However, simply repealing the Illinois law would not, by itself, restore the right to vote for inmates because Article 3, Section 2 of the Illinois Constitution also prohibits prison inmates from voting. Per the constitution, "A person convicted of a felony, or otherwise under sentence in a correctional institution or jail, shall lose the right to vote, which right shall be restored not later than upon completion of his sentence." Many voting rights advocates still said it was important to begin the process by repealing the Illinois statute.

The Illinois Constitution strips the vote from people criminally convicted and sentenced to prison or jail, but orders that the right "be restored not later than upon completion of his sentence." That has been interpreted as when someone is released from lockup. We need to look carefully at those words "not later than." I and many others believe that the right to vote should be reinstated immediately — allowing inmates to vote behind bars, keeping them engaged with their families and hometowns, and better preparing them for re-entry.

Inmates want to vote for people in their communities. When they talk to their families and loved ones about aldermen and other elected officials, they discuss those they should be voting in or out. Inmates have children in schools. They will be returning to their communities. They need to be voting to elect those officials that they want to represent them and their families.

There would be no cost to the state and no prison-routine disruption because the process would involve ballots sent to and returned by inmates by mail. Let's reinstate the right to vote to inmates as soon as possible.

Sincerely,

A stylized, handwritten signature in black ink, consisting of a large, sweeping initial 'L' followed by a series of connected loops and a final horizontal stroke.

La Shawn K. Ford
State Representative-Eighth District