

**CITY OF BALTIMORE
COUNCIL BILL 06-0145R
(Resolution)**

Introduced by: Councilmember Curran, President Dixon, Councilmembers Young, Clarke,
Reisinger, Kraft, D’Adamo, Holton, Welch, Mitchell
Introduced and adopted: February 27, 2006

A COUNCIL RESOLUTION CONCERNING

In Support of State Legislation (House Bill 603) – Voter Eligibility- Convicted Criminals

FOR the purpose of expressing support for House Bill 603, that alters certain qualifications for voter registration, provides that an individual is not qualified to register to vote if the individual has been convicted of a felony and is awaiting or actually serving a sentence of imprisonment, and requires that felons who are convicted of certain crimes be informed by the court prior to sentencing of the restoration of their rights to vote subsequent to serving their sentence; requesting that the Chair and Members of the House Ways and Means Committee report the bill favorably, and urging the members of the Baltimore City Delegation to the 2006 Maryland General Assembly to work to secure passage of House Bill 603.

Recitals

In Maryland, the law limits the voting privileges of persons convicted of “infamous crimes”, defined as “those crimes which by their very nature impress upon their perpetrator such a moral taint that to permit him to testify in a judicial proceeding would injuriously affect the administration of justice”. Persons convicted of “infamous crimes”, who are registered to vote in the State of Maryland, have their registration revoked, but are permitted to re-register after they have completed their sentence, including any applicable period of parole and probation. However, neither prison nor election board officials are required to notify individuals of their renewed eligibility to register to vote.

Currently in Maryland, there is a system of partial restoration of voting rights to ex-felons. Felons who are convicted of an infamous crime for the first time must only complete their incarceration, probation, parole, community service, restitution, and fines to be eligible to vote, while a felon convicted of a subsequent offense must meet all those requirements and also wait 3 years to be eligible. After the 3-year period has passed, the ex-felon can be asked to show proof that the waiting period has indeed been satisfied. Because there is no official documentation from all entities involved, it is nearly impossible to prove eligibility.

House Bill 603 helps fix this problem by stating that before an individual accepts a plea of guilty or nolo contendere to a felony charge, and before they are sentenced, the court must notify the defendant that his or her voting rights are being taken away for as long as the person is incarcerated, and that the voting rights will be restored upon discharge. This gives the defendant

EXPLANATION: Underlining indicates matter added by amendment.
~~Strike out~~ indicates matter deleted by amendment.

1 knowledge that he or she will have his or her rights to vote restored upon discharge, and creates
2 an opportunity for a reformed criminal to rejoin the democratic process once his or her time has
3 been served.

4 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE,** That this
5 Body expresses support for House Bill 603, that alters certain qualifications for voter
6 registration, provides that an individual is not qualified to register to vote if the individual has
7 been convicted of a felony and is awaiting or actually serving a sentence of imprisonment, and
8 requires that felons who are convicted of certain crimes be informed by the court prior to
9 sentencing of the restoration of their rights to vote subsequent to serving their sentence;
10 requesting that the Chair and Members of the Senate Ways and Means Committee report the bill
11 favorably, and urging the members of the Baltimore City Delegation to the 2006 Maryland
12 General Assembly to work to secure passage of House Bill 603.

13 **AND BE IT FURTHER RESOLVED,** That a copy of this Resolution be sent to the Mayor, the
14 Honorable Chair and Members of the Baltimore City Senate and House Delegations to the 2006
15 Maryland General Assembly, the Director and Members of The Maryland Voter Rights
16 Coalition, the Executive Director of the NAACP National Voter Fund, and the Mayor's
17 Legislative Liaison to the City Council.