



## PRESS RELEASE

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### **Attorney General Frosh Joins Multistate Coalition Opposing Minnesota’s Voting Restrictions on Returning Citizens Living in the Community**

*Attorneys General Argue in Court that Denying the Vote to Individuals on Parole or Probation Discourages Rehabilitation and Disproportionately Harms Minority Communities*

**BALTIMORE, MD (November 24, 2020)** – Maryland Attorney General Brian E. Frosh today joined a coalition of 15 attorneys general voicing opposition to a Minnesota law that prevents returning citizens from voting until they have completed their terms of parole or probation. In an [amicus brief](#) filed in *Schroeder v. Simon* before the Minnesota Court of Appeals, the coalition argues that allowing returning citizens to vote strengthens their ties to their community, decreasing the likelihood of recidivism. Further, they argue that the law disproportionately harms the state’s African American, Latino, and Native American communities. The plaintiffs are seeking declaratory and injunctive relief to restore the vote to individuals still serving probation or parole.

“Restricting individuals from voting after they have been released from incarceration is unnecessarily punitive,” said Attorney General Frosh. “Individuals returning to their communities should be able to choose their representatives and have a say in state and local referendums.”

Felon disenfranchisement in the United States is the product of a patchwork of state laws, which vary widely. The District of Columbia, Maine, and Vermont do not restrict the voting rights of convicted felons, including those currently in prison. Eighteen other states, including Maryland, automatically restore a returning citizen’s voting rights upon release from incarceration. Efforts to expand the right to vote embrace the notion that allowing returning citizens to vote benefits both the individuals and the communities they rejoin. However, an estimated 5.2 million people across the United States—2.3 percent of all adults—were barred from casting a ballot in this year’s election because of felony convictions. Of those, roughly 3.9 million are no longer incarcerated.

Minnesota is one of 16 states that require returning citizens to complete the terms of their imprisonment, parole or supervised release, and probation before they automatically regain the right to vote. As a result, over 55,000 Minnesota residents serving a supervised sentence in the community cannot vote.

In the brief, the states collectively support the plaintiffs' challenge to the Minnesota felon disenfranchisement law because:

- **Expanding voting to returning citizens promotes successful reintegration and enhances public safety.** Over the past 25 years, states have restored the right to vote to more than one million citizens by reforming their felon disenfranchisement laws. These reform efforts include laws repealing lifetime disenfranchisement, allowing people convicted of felonies to vote while completing the terms of their probation or parole, eliminating requirements to pay legal financial obligations, and providing information to felons leaving correctional facilities about restoration of their voting rights and registering to vote. Studies find that restoring voting rights to returning citizens fosters civic participation and reduces their likelihood of committing further crimes. Furthermore, there is no evidence suggesting that continued disenfranchisement supports the goal of rehabilitation.
- **Felon disenfranchisement disproportionately harms African American, Latino, and Native American communities.** States have recognized the importance of restoring voting rights to returning citizens given the disparate impact of felon disenfranchisement laws on minority communities. Mass incarceration has resulted in voting rights disparities for people of color. Nationwide, in the November 2020 election, more than 6.2% of the African American voting age population in the United States could not vote as a result of felon disenfranchisement laws, as compared with only 1.7% of the non-African American population. Data also suggests that disenfranchisement laws disproportionately harm Latino people because they are incarcerated at higher rates than the non-Latino population: about 2.4 times greater for Latino men and 1.5 times for Latino women.

In addition to Attorney General Frosh, the brief is signed by the attorneys general of California, Delaware, the District of Columbia, Hawaii, Illinois, Massachusetts, Nevada, New Jersey, New Mexico, New York, Rhode Island, Vermont, Virginia, and Washington.