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## Voting rights for felons proposed

Amendment has strong support

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 The Courier-Journal

Felons would have their voting rights restored automatically after finishing their sentences under a constitutional amendment that lawmakers and activists proposed yesterday.

Activists backed their proposal with a new poll showing that 56 percent of Kentuckians support such a change.

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The state constitution imposes a lifetime voting ban on felons; only the governor can reverse it. Gov. Ernie Fletcher changed the process by requiring applicants to write a statement and provide three references.

Louisville resident Mitch Ford, 31, said he spent five years in prison for burglary and theft committed when he was a teenager, and now he wants a say in how his tax money is spent and

who is elected.

"I pay taxes, I've got a full-time job, I'm a respectful member of society," said Ford, a counselor-in-training at Ten Broeck Hospital. "I'm just tired of being punished."

If the amendment were to pass in the upcoming legislative session, it could appear on the ballot in November 2007.

Similar legislation has failed to win passage in the past.

But House Speaker Jody Richards supported the bill in a statement, which was read aloud at a news conference put on by the 17-group Voting Rights Coalition. Richards said he would co-sponsor the bill and work for its passage.

Senate President David Williams did not respond to requests for an interview.

Sen. Gerald Neal, D-Louisville, expects the bill he sponsored to be "DOA" in the Senate.

Fletcher spokeswoman Jodi Whitaker said simply, "We will evaluate it."

Activists say that since Fletcher's changes, fewer people have applied for and received restoration of voting rights.

In fiscal year 2003, before Fletcher took office, voting rights were restored to 1,231 felons, according to the coalition, which said the numbers came from the Department of Corrections and the secretary of state.

In fiscal year 2006, that number fell to 227, the coalition said.

Fletcher's deputy general counsel, David Fleenor, said the new process has not slowed the rate of application approvals.

More than 1,075 people have submitted completed applications for restoration of voting rights since Fletcher took office, he said, and 841 were granted. About 900 applications are on file but incomplete, he said.

Unapproved applications have been shelved, not rejected, and will be reviewed later, Fleenor said.

"None has been turned down," he said.

Kentucky, Florida and Virginia are the only states with a lifetime voting ban for all felons.

A recent study by the League of Women Voters of Kentucky found that 186,348 Kentuckians cannot vote because of a felony conviction. That rate is twice the national average and is the sixth-highest rate in the nation, the study said.

Kentucky is first in disenfranchisement of African-American felons, according to the study.

### ON THE WEB

More information about the restoration of civil rights:

Kentucky Department of Corrections - Probation & Parole:

<http://www.corrections.ky.gov/pp/default.htm>

League of Women Voters of Kentucky:

<http://www.lwvky.org/>

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The league recommended placing a constitutional amendment on the ballot, providing assistance for restoration applicants and launching a public education campaign.

The poll, conducted by the University of Kentucky Survey Research Center, found that 56 percent of Kentuckians would support a constitutional amendment, with 40.4 percent opposed.

The survey of 901 Kentuckians age 18 or older was conducted Aug. 14 through Sept. 6, with a margin of error of 3.3 percentage points.

Neal and Rep. Jesse Crenshaw, D-Lexington, filed two versions of the proposed constitutional amendment.

Crenshaw's bill proposes automatically restoring voting rights to any felon upon completion of sentence, parole, probation and any restitution or fees.

Neal's bill proposes a graduated system in which low-level felons would have automatic restoration of rights upon completion of sentence, and the worst felons, such as murderers, would be subject to the existing process.

Tayna Fogle of Lexington, who lost her voting rights after going to prison in 1991 for possession of cocaine and for writing bad checks, said she recently had them restored.

"I was able to vote in the last election, and I'm telling you -- what an awesome feeling," she said.

But Fogle, 46, a UK graduate, expressed concern about Fletcher's extra requirements, saying some felons are illiterate.

"Who's to write their essay?" she asked. "And it's hard as a person who has not committed a crime to get people to give you a reference."

Jim Deckard, the governor's general counsel, said only a statement, not an essay, is required. Some are as short as one sentence, he said.

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