



505 Fifth Ave. Suite 901, Des Moines, Iowa 50309

www.aclu-ia.org

FOR IMMEDIATE RELEASE: Tuesday, October 26, 2016

Contacts:

Veronica Fowler, ACLU of Iowa communications director

New Coalition Formed to Work for Legislation, Constitutional Amendment To Allow Iowans With Felony Convictions to Vote

Des Moines, Iowa – Iowa has the harshest voting laws in the country, automatically stripping voting rights of any Iowan convicted of a felony. Today a group of Iowa organizations announced that they are forming a coalition that will work to change that through 1) a passage of a bill and 2) an amendment to the Iowa Constitution.

Members of the growing coalition currently are:

- The American Civil Liberties Union of Iowa (ACLU of Iowa)
- The Iowa-Nebraska NAACP
- League of Women Voters of Iowa
- League of United Latin American Citizens (LULAC) of Iowa
- Iowa CURE
- Iowa Coalition 4 Juvenile Justice
- St. Paul AME Church, Des Moines
- Women at the Well
- Trinity United Methodist Church
- American Friends Service Committee (AFSC) Immigrants Voice Program
- Iowa CCI Action Fund
- Iowa Justice Action Network
- Las Americas Comunidad de Fe
- Iowa Unitarian Universalist Witness/Advocacy Network
- Iowa Conference United Methodist Church Legislative Advocacy Team
- Methodist Federation for Social Action Iowa
- Iowa Catholic Conference

Currently, an Iowan convicted of a felony is automatically stripped of his or her right to vote. Only two other states, Kentucky and Florida, have equally harsh voting laws for people convicted of any felony. This despite the fact that many felonies have no impact on the suitability of an individual to vote. Felony charges include non-violent drug offenses and a number of non-violent thefts.

It's possible to get the right to vote back through the office of Gov. Terry Branstad, but the process is arduous, intimidating, costs money, and many feel they need to retain a lawyer to help them.

In January when the next Iowa legislative session starts, these groups will be urging legislators to pass a bill that states that all nonviolent crimes do not disqualify Iowa citizens from voting and that Iowans will get their right to vote back after they complete

their jail or prison sentences, including any probation or parole. Importantly, the law should make clear that the right to vote is not contingent on the payment of outstanding court costs, fines, and fees, which are financial obligations that many are unable to pay.

Rita Bettis, ACLU of Iowa Legal Director, said, “As we all head to the polls this November, it’s important to remember those who have been left behind. Voting rights are the foundation of citizenship. But more than 50,000 Iowans – a number that grows by the day – remain unable to vote, even though they have completed their sentences and have rejoined their communities.”

“That means they cannot vote for members of their child’s school board; are unable to vote on local measures, or help choose our next president. Iowa’s current system is unfair, and leads to the systemic disproportionate disenfranchisement of Black Iowans, leaving them without a voice in our political process. It’s past time that our state corrected what is arguably the largest civil rights violation under our laws by ending felony disenfranchisement for good,” Bettis said.

Nearly 1 in 10 voting-age Black people in Iowa are currently barred from voting for life. That disenfranchisement wreaks terrible injustice on the African-American community in our state. If laws don't change, that number can be expected to increase to 1 in 4.¹

This most recent push for changes in Iowa’s ex-felon voting law follows a recent Iowa Supreme Court ruling on the matter. The Court considered a case brought by the ACLU on behalf of Iowa mom Kelli Griffin of Montrose, who at one point faced the possibility of prison after she voted. At the time, she had discharged a sentence for a felony-level nonviolent drug offense, and thought she could vote after completing probation. She ended up spending thousands of dollars for her legal defense and standing trial. She was acquitted by that local jury in just 45 minutes.

Then in an effort to change the laws more broadly so she and others could vote, she sued the state to clarify that under the Iowa constitution, she should never have been barred from voting. Unfortunately, in a narrow 4-3 decision, the Court denied her appeal, and upheld Iowa’s current statute that defines “infamous crime” as any offense that happens to be classified by the legislature as a felony, regardless of the nature of the offense itself.

In the decision, while the Court made clear that it and not the legislature would be the final arbiter of Iowa’s constitutional right to vote, it also indicated that the right itself was subject to potential evolution. Further, it pointed to the potential for it to look to any changes in the legislative definition in some future case in which it would have occasion to determine whether the right had evolved. Ultimately, though, because that proposition is so uncertain, a constitutional amendment is the surest and best way to end felony disenfranchisement for good in our state.

For that reason, in addition to working for passage of a bill, the coalition will also work for a Constitutional amendment to assure the right of those with felony convictions to vote. A

¹ This represents the rate of disenfranchisement of Black people under Branstad’s policy without the benefit of 6 years of automatic restoration from 2005-2011, which currently skews the numbers downward artificially.

constitutional amendment requires two successive Iowa General Assemblies² to vote by simple majority to put the proposed amendment on the statewide ballot. The measure would then need to be approved by a simple majority of Iowa voters.

Bonnie Pitz, past president of the League of Women Voters of Iowa, said felony disenfranchisement laws have far-reaching consequences. One is with families. "Children do not learn citizenship only in a school setting, but by the actions and beliefs of their families. Disenfranchising those who have paid their debt to society means a whole generation of children will not see a parent fully participate in democracy and pass that value onto their children," Pitz said.

Veterans are also disproportionately affected, Pitz said. "Many people with felonies are veterans, people who may deal with the traumas of service to our country by self-medicating with illicit drugs. It is a special tragedy when we strip the right to vote from an individual who has given so much of his or her life to defending democracy."

For more information, please go to the coalition's newly created website at <http://www.restorevotesiowa.com/>

* * * * *

The ACLU of Iowa is a private, non-partisan organization that fights to advance civil liberties for all. It is the state affiliate of the national American Civil Liberties Union. The ACLU prides itself in upholding everyone's civil liberties, no matter who they are or what they believe. We work to assure the rights of all Iowans – from atheists to devout Christians, from labor unions to businesspeople and more – to make sure the constitutional rights of all are preserved. For more information, please go to www.aclu-ia.org.

Want to be removed from this press release contact list? Prefer it go to a different email? Or do you want to be added to our press release contact list? Please email editor@aclu-ia.org.

² A General Assembly consists of two legislative sessions. The proposed bill must pass by a simple majority in both chambers of the legislature. Unlike the case with legislation, the governor does not need to sign constitutional amendment language for it to be placed on the ballot.