



Remove Child Support Provision from Felony Restoration Law in Tennessee SUPPORT HB 675/SB 637

What HB 675/SB 637 would do: HB 675 (Turner)/SB 637 (Marrero) would eliminate the requirement that people with past convictions be current on child support obligations in order to be eligible to have their voting rights restored.

Background

In Tennessee, all people convicted of felonies lose the right to vote. Once an individual has completed his/her sentence (including incarceration, probation and parole), he or she may obtain a Certificate of Restoration, which restores the right to vote. All court-ordered restitution must be paid, and the individual must be current on any child support obligations. People convicted of certain crimes within certain time periods, however, are ineligible for such certificates.

ACLU-TN supports this bill because:

- *There is no evidence that restricting the right to vote helps ensure that child support is paid.* On the contrary, restoring the right to vote helps people rejoin their communities and resume the duties of full citizenship, including participating in the workforce. Individuals with steady incomes are more likely to be able to meet child support obligations, so encouraging voter participation benefits us all.
- *Imposing child support requirements on people with felony convictions but not on other voters is unfair.* Only people with felony convictions are required to be current on child support payments in order to vote; other voters are not required to be current on such payments. Holding people with and without felony convictions to different standards for the purposes of voting is unfair and amounts to unequal treatment.
- *An individual's financial circumstances should not be tied to his or her right to vote.* Mandating payment of child support as a precondition for voting rights restoration places a disproportionate burden on low-income people, who are over-represented in the criminal justice system, and punishes them for being poor. By favoring people of means, these pre-conditions violate the Fourteenth Amendment's Equal Protection clause and the Twenty-Fourth Amendment's prohibition on poll or other taxes.
- *Tennessee recently streamlined its voting rights restoration process, and should continue this trend.* In 2006, Tennessee simplified the restoration process for many people with felony convictions who have completed their sentences. HB 675/SB637 would be an additional step in the right direction.
- *Enfranchising people with past felony convictions is in the interest of public safety.* Restricting voting rights does not prevent crime, provide compensation to victims, or help formerly incarcerated individuals re-integrate into their communities. In contrast, voter participation actually *increases* public safety: research has found that people with criminal records who vote are half as likely to be re-arrested as their non-voting counterparts.
- *Voting is a hallmark of democracy.* When people complete their sentences, they deserve a second chance to work, raise families and vote. Taxpaying citizens deserve a say in their government, and voting is an essential part of reassuming the duties of full citizenship. Restoring the right to vote strengthens our democracy.