



May 1, 2024

To: Members of the Senate

From: Alma Couverthie, Interim Co-CEO, Chief of Program

Re: Support the *Next Step Home Act*

The Constitution requires an equal opportunity for citizens of the United States to vote in Federal elections. Yet, felony disenfranchisement is practiced to varying degrees in most states. This practice of removing the right to vote from citizens who have served time for a criminal offense accomplishes no compelling purpose and hinders reintegration into society. As a century-long advocate of voting rights, the League of Women Voters of the United States supports the restoration of voting rights to formerly incarcerated Americans.

As of 2024, 48 states have either temporarily or permanently banned individuals with felony convictions from voting. The *Next Step Home Act* would restore voting rights and dignity for many Americans and allow them to participate more fully in our democracy. The League supports this legislation to expand opportunities for Americans to make their voices heard and encourages bipartisan consideration of efforts to restore voting rights.

The *Next Step Home Act* will build on the success of the bipartisan *First Step Act* (FSA) by restoring voting rights to individuals with felony convictions released under the FSA. This group of individuals is small and has a lower risk of recidivism as compared to the overall federal Bureau of Prisons rate. Specifically, this bill would restore the right to vote in federal elections to people with felony convictions who were:

1. Released under the *First Step Act*; and
2. Not subject to imprisonment, post-incarceration probation, or supervised release (i.e., supervised release has expired, and thus, they can no longer be subject to revocation and re-imprisonment).

Despite their disenfranchisement, individuals with felony convictions continue to be included in state population counts for representation purposes in Congress and for the Electoral College, yet they lack the opportunity to make their voices heard at the voting booth, elect their representatives of choice, and hold them accountable. Extending the federal franchise to individuals with criminal convictions will have impacts across multiple elements of society. It can help reduce recidivism rates, better reintegrate formerly incarcerated individuals, improve public safety, and improve our carceral system overall.

Congress has supervisory power over Federal elections, an authority given by *Section 4 of Article I* of the Constitution and upheld by the Supreme Court. The Eighth Amendment prohibits excessive bail, the imposition of excessive fines, and the infliction of cruel and unusual punishments. The combination of these two constitutional directives should move Congress to address lifetime felony voting bans used to mistreat those with felony convictions. We urge you to take action and support this important legislation without delay.