



**WRITTEN TESTIMONY**

**SUBMITTED BY ANA YÁÑEZ-CORREA, EXECUTIVE DIRECTOR  
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**REGARDING HOUSE BILL 770**

**SENATE COMMITTEE ON STATE AFFAIRS**

**APRIL 26, 2007**

Dear Members of the Committee,

My name is Ana Yáñez-Correa. I am the Executive Director of the Texas Criminal Justice Coalition. Thank you for allowing me this opportunity to present testimony regarding House Bill 770.

Last year, 53,577 individuals were discharged from state prison, state jails, and parole, according to statistics from the Texas Department of Criminal Justice (TDCJ).<sup>1</sup> Upon leaving supervision, these individuals regained certain civil rights, including the right to vote. House Bill 770 would facilitate these individuals' re-integration into civil society, which is necessary in order to succeed.

The tools for success go beyond finding and keeping employment or housing. Success also derives from having a healthy mindset, which leads to self-determination and a sense of worth. Civic participation through voting is a crucial foundation for this success.

In 1997, then-Governor George Bush signed a bill authored by current House Juvenile Justice and Family Issues Chairman Harold Dutton that restored voter eligibility to offenders immediately upon the completion of their sentence; he understood that people cannot fully participate in a civil democracy unless they feel that they have a stake and a voice in their community.

Ensuring that ex-offenders who return to society are fully equipped to re-enter civic life means that we must actively inform them of their right to vote. Voting is a critical tool of successful democracy, and by allowing ex-offenders to participate in government, we can encourage them to live responsible lives and work with the system, not against it.

**THOSE WHO HAVE SERVED THEIR TIME AND ARE ELIGIBLE TO VOTE FAIL TO DO SO DUE TO APPREHENSION, FEAR, AND MISINFORMATION.**

Individuals who have served their time are often unaware of their eligibility to vote and may be deterred from voting out of fear that violating voting regulations could land them back in prison – as has happened in other states. For instance, an Arizona man is currently facing 5 years in prison for voting in the 2004 elections; he was unaware that being on probation in his state disqualified him from voter eligibility. In Texas, many individuals do not want to risk returning to prison and therefore do not vote at all.

Ex-offenders may also fail to vote due to an indifference to civic life, primarily resulting from systematic social exclusion. Individuals who are labeled as criminals, sequestered from society, and deprived of civil liberties are sent a message that they are not supposed to be a part of government and civil society. This can lead to them blaming government or society for their misfortunes instead of taking responsibility for their actions.

**H.B. 770 BY CHAIRMAN DUTTON WOULD ENCOURAGE THOSE WHO HAVE SERVED THEIR TIME TO TAKE PERSONAL RESPONSIBILITY AND PARTICIPATE IN CIVIC LIFE.**

H.B. 770 would require the TDCJ to distribute to each inmate, parolee, or probationer upon discharge the following documents: (1) written notice that the person may be eligible to vote, and (2) an official voter registration application form.

**VOTING CAN HELP EX-OFFENDERS LIVE RESPONSIBLY THROUGH CIVIC PARTICIPATION.**

Nearly 1 in 20 Texans has been under some form of supervision at some point in their lives. Ensuring that individuals who are returning to the community are able and willing to participate in civic life can point them in the right direction by connecting them with society and encouraging law-abiding behavior: they will be able to take on the responsibilities of fully-informed citizens and become more likely to work for the greater good. Additionally, having a stake in civic life will encourage them to avoid returning to crime (and prison), creating an incentive for responsible living.

**H.B. 770 WOULD DE-POLITICIZE THE INFORMATION PROCESS FOR EX-FELONS WHO ARE ELIGIBLE TO VOTE.**

By mandating that TDCJ issue voter information, the State can avoid the issue of having partisan groups distribute literature to exiting ex-felons that may influence their votes. Furthermore, a consistent information and delivery system can be implemented at all re-entry points.

I appreciate the opportunity to testify before this committee and to offer our organization's ideas about this important issue. I would also like to commend Chairman Dutton for his efforts to protect the foundations of government for which you all serve. We hope that this committee will approve his bill and affirm the belief in civic life and democracy. A vote for this bill is a vote for personal responsibility.

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<sup>1</sup> Executive Administrative Services, Texas Department of Criminal Justice. *Statistical Report: FY 2006*.