
T H E M I N N E S O T A
C O U N T Y A T T O R N E Y S
A S S O C I A T I O N

June 12, 2020

Representative Rena Moran
575 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
Saint Paul, Minnesota 55155

Dear Representative Moran,

I write to express the strong support of the Minnesota County Attorney's Association for the House File 49, which would restore the right to vote to the 47,000 Minnesotans who are on probation or parole as part of felony sentences. The Board of MCAA adopted this position unanimously, based on the experience of our elected county attorneys in fighting for the safety of our communities and in advising our counties in the fair and efficient administration of our elections. We believe that this law is the right thing for public safety and the right thing for the integrity of Minnesota's electoral process. The time has come to pass this bill. As elected officials at the federal, state and local levels discuss important reform issues, the ability to vote would give all people a voice in what their government is doing and how it will move forward.

Restoring the voting rights of people on probation and parole is the right thing for crime prevention and public safety. As prosecutors, we believe that people who commit crimes need consequences, but those consequences need to serve a purpose. Our systems of probation and parole exist to give those individuals the opportunity to live in the community and take on the rights and obligations of citizenship. We expect them to pay rent, work, and participate in their communities in a positive way. Denying them the right to vote runs contrary to this goal. Indeed, voting is the type of pro-social behavior that we ought to encourage of parolees and probationers: a sign that they are succeeding in building law-abiding lives, rather than returning to lives of crime.

This bill would also significantly simplify our state law and relieve burdens on local elections officials and the public. The range of punishments and sentences available in our system are well-suited to the demands of public safety and criminal justice, but they are sufficiently complex to leave many people unclear regarding their voting rights statuses. And the burden falls to local elections officials, local law enforcement, and county attorneys' offices to attempt to identify which voters are ineligible, maintain accurate records to exclude ineligible persons from the polls, and investigate any alleged illegal voting. These investigations consistently reveal that the vast majority of such voting results from voter confusion. We have also consistently heard that individuals who are no longer on probation and therefore eligible to vote refrain from doing so, for fear that they are still ineligible and may be prosecuted for voter fraud. In the place of this confusing and cumbersome system, this bill offers a bright line:

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a person currently incarcerated may not vote, while a person not incarcerated may vote if he or she is otherwise eligible.

This change is the right thing for our communities, and now is the time to make it. We thank you for your authorship and leadership on this important issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Small", written in a cursive style.

Robert Small
Executive Director