



## Legislative Testimony

### OREGON DEPARTMENT OF CORRECTIONS

February 24, 2021

The Honorable Floyd Prozanski, Chair  
Senate Committee on Judiciary and Ballot Measure 110 Implementation

**Subject: Senate Bill 571**

Chair Prozanski and members of the committee, my name is Nathaline Frener, and I serve as Assistant Director of the Oregon Department of Corrections (DOC) Correctional Services Division. I am providing written testimony on Senate Bill (SB) 571.

**What the Bill Does:**

SB 571 allows persons convicted of a felony crime to register to vote, update their voter registration, and vote in elections while still incarcerated. It further specifies that the person's residence, and thus their county for voter registration purposes, will be where they last resided before they were incarcerated.

**Background Information:**

DOC has been fortunate enough to participate in recent trips to Norway to study and learn from their prison system. Norway has been successful in significantly reducing its recidivism rates through various means, one of which is normalizing their prison environments. Normalization helps keep adults in custody (AICs) from picking up a criminal mindset from what is, within our families and communities, an abnormal environment in prison. Normalizing the prison environment also eases the transition from prison back into the community.

As part of their successful reentry strategy, Norway also allows most AICs to vote. In states such as Maine and Vermont and in the District of Columbia, felons never lose their right to vote, even while they are incarcerated. Information provided by the Criminal Justice Commission (February 23, 2021) indicates there is a positive correlation between retention of voting rights and pro-social behaviors and reduction in recidivism.

*Broadly speaking, some studies indicate that disenfranchisement hinders re-entry but that restoring the right to vote can improve an individual's transition from prison back into society.<sup>1</sup> Even if eligible citizens choose to not vote, one study suggests that simply restoring voting rights and increasing awareness of the restoration of those rights to disenfranchised citizens helps those citizens develop the types of pro-democratic and pro-social attitudes commonly associated with successful post-prison re-entry.<sup>2</sup>*

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<sup>1</sup> See *Voting and Subsequent Crime and Arrest: Evidence From a Community Sample*, Christopher Uggen & Jeff Manza, *36 Colum. Hum.Rts. L..Rev.* 193, 205 (2004); *Restoring Rights, Restoring Trust: Evidence that Reversing Felon Disenfranchisement Penalties Increases Both Trust and Cooperation with Government*, Victoria Shineman, [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3272694](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3272694).

<sup>2</sup> *Restoring Rights, Restoring Trust: Evidence that Reversing Felon Disenfranchisement Penalties Increases Both Trust and Cooperation with Government*, Victoria Shineman, [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3272694](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3272694).

*Other studies are also indicative of a correlative effect between voting rights and recidivism rates. For example, in 2011, The Florida Parole Commission published a report showing that before 2007, the overall three-year recidivism rate for all released inmates was 33.1%, whereas the recidivism rate for released inmates who were given their civil rights back and were allowed to vote stood at 11.1%.<sup>3</sup> A Minnesota study found that ex-felons who voted in 1996 were only half as likely to be rearrested from 1997-2002 as those who did not.<sup>4</sup>*

### **Potential Impacts**

Section 5 of the bill require DOC by rule to establish procedures that allow:

- a) All qualified voters in the DOC's custody to register to vote or update their voter registration;
- b) All registered AIC electors to receive all election materials; and
- c) All registered AIC electors to cast a ballot in each election.

Provided Oregon mail-in ballots continue to be provided with prepaid postage, DOC does not foresee issues related to AIC and DOC resources needed to provide postage and possible disadvantaging of indigent AICs. DOC would seek to work with the Secretary of State to make voter registration materials available during the Intake process as well as generally available at all its facilities. DOC would also like to collaborate with the Secretary of State to develop a process that ensures incoming and outgoing voting materials meet the DOC mail rule requirements developed to protect the safety and security of institutions, AICs, and staff.

Since returning from Norway, DOC has worked toward normalizing our prisons, and I believe the passage of SB 571 is another step in that direction. The individuals in DOC care still have families and friends in the community who are affected by the decisions of our elected officials and the laws passed by the citizens. Continuing to be involved and included in the process that brings about those laws promotes prosocial behavior. The passage of SB 571 would support DOC's ongoing efforts to normalize prison environments, prepare the individuals in our custody for successful reintegration, and reduce recidivism.

Thank you for your time and consideration. I am happy to answer any questions you may have.

*Submitted by:*

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<sup>3</sup> <https://www.fcor.state.fl.us/docs/reports/2009-2010ClemencyReport.pdf>

<sup>4</sup> *Voting and Subsequent Crime and Arrest: Evidence from a Community Sample*, Christopher Uggen & Jeff Manza, 36 Colum. Hum. Rts. L. Rev. 192 (2002).