

Rule of Law Clinic
at Yale Law School



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Via Email

Peggy Reeves
Assistant to the Secretary of the State for Elections
Legislative and Intergovernmental Affairs
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Dear Ms. Reeves:

We write today to request a meeting with you about a time-sensitive issue that requires the attention of the Legislation and Elections Administration Division. It appears that eligible voters with Connecticut felony convictions are being wrongfully deterred from registering because of misinformation about the legal requirements for restoration of voting rights.

Connecticut has worked over the past decades to restore the voting rights of formerly incarcerated people. In 2001, Connecticut's legislature amended the law so that a person with a felony conviction *immediately regains* the right to register and vote upon being released from custody and completing, if applicable, any parole. Conn. Gen. Stat. Ann. § 9-46a(b). Critically, the legislature chose to remove a prior requirement that a prospective voter must pay all outstanding fines in order to exercise the right to vote.¹ This legislation marked a significant expansion of the franchise, because it is extremely common for Connecticut residents to owe fines after being discharged from confinement and parole.

The law is clear: Connecticut citizens with Connecticut felony convictions *never* need to pay off fines as a condition for regaining their voting rights. But the Secretary of State's website advises the opposite: "A person who has been convicted of a felony and committed to confinement in a state of CT correctional institution, facility, or community residence shall be eligible to have their voting privileges restored *upon the . . . payments of any fines* (if applicable)."² We know

¹ By contrast, a Connecticut resident who was formerly incarcerated for a felony by the federal government or another state faces an additional prerequisite to restoration of voting rights: "the payment of all fines in conjunction with the conviction." *Id.* § 9-46a(a).

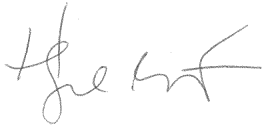
² A separate fact sheet available on the Secretary of State's website correctly indicates that only individuals with federal and out-of-state convictions must pay their fines to regain their voting rights. See *The Ultimate Freedom: The Right To Vote* (accessed Oct. 5, 2018), available at

that registrars of voters in at least two major Connecticut cities are operating under the false impression that *all* individuals with past felony convictions must pay their fines before registering to vote. And we have reason to believe that the Department of Correction, in a well-intended effort to educate returning citizens about the right to vote, is providing the same misinformation that appears on the Secretary of State's website.

We ask that you immediately correct the information on your website and send guidance to registrars to correct confusion about this issue. Further, this widespread, harmful misinformation calls for a robust public outreach campaign to correct the record. Our hope is that you will work with us and our community partners to fix this problem in the short time remaining before the 2018 midterm elections.

Please advise us whether it will be possible for us and a small number of our community allies to meet with you soon. We are glad to travel to Hartford and will work around your schedule as best we can. Thank you very much for your prompt attention to this matter.

Sincerely,



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<https://portal.ct.gov/-/media/sots/ElectionServices/HAVA/HavaPDF/TheUltimateFreedompdf.pdf?la=en>. However, this correct fact sheet does not cure the effects of the misinformation elsewhere on the website. At best, voters who diligently reviewed the inconsistent information provided by the Secretary of State would be left confused about their voting rights, and therefore unable to swear of affirm that they are eligible to vote (as Connecticut's voter registration form requires).