Testimony for HB 70: January 14, 2014

Thank the committee.

For the record, I am Rev. Patrick Delahanty and I represent the 4 Roman Catholic Bishops of Kentucky. I have testified on this issue several times. Today I want to focus on our concern that our justice system must maintain a high standard of consistency in order to assure citizens that people are treated fairly and in a manner that is neither arbitrary nor driven by factors such as race.

At the time of the 4th revision of the Ky. Constitution, the population was significantly fewer in number; there was no prison system similar to todays, and the criminal code included far fewer felonies. To expect a person to request from the governor a restoration of the right to vote was reasonable.

That process worked well in the past. But now we have a vast prison system filled with thousands of prisoners and an array of felonious acts that our ancestors could never have anticipated. A governor today would spend his entire time in office reviewing and signing applications if the thousands of eligible ex-offenders requested restoration of voting rights.

Because the act of voting is so central to fulfilling one's duty as a citizen, we need a new process by which this right is restored to former felons. All this bill does is allow the people of Kentucky to decide whether or not to establish that new process. Rather than rely on a process that is open to the arbitrary granting of voting rights to some former felons and not others by one governor to the next and rather than keeping in place a system that has led to the disenfranchisement of more than 200,000 persons, Kentucky voters will have the opportunity to put in place a process that has bright lines.

If approved, this change in our Constitution will draw clear boundaries that remove the possibility of arbitrary decision-making. It will eliminate the possibility that race or other factors, intended or unintended, will play a role in restoring the right to vote to certain former felons.

This change in our Constitution will ensure consistency in application and assure Kentuckians they are living under a rule of law implemented by our institutions that is credible and deserving of our trust.

Thank you.