

THE VOTER DISENFRANCHISEMENT AND RESTORATION OF VOTING RIGHTS EXPLORATORY COMMITTEE NOVEMBER 18, 2015 ALABAMA STATE CAPITOL MONTGOMERY, ALABAMA

Members present were Ms. Darlene Biehl, Volunteer Crime Victim's Advocate; Ms. Holly Caraway, Chief Counsel for the Office of the Minority Senate Leader, representing Alabama State Senator Linda Coleman; Mr. Michael Coleman, Executive Director of Hope Ministries; Mr. Jefferson Dunn, Commissioner Alabama Department of Corrections; Ms. Carol Hill, Registrar for the Shelby County Board of Registrars; Mr. Quin Hillyer, Freelance Journalist; Mr. Tim Jolley, Circuit Judge for the 27th Judicial Circuit; Ms. Summer Scruggs, Circuit Clerk for the Clarke County Circuit Court; Mr. Cliff Walker, Chairman of the Alabama Board of Pardons and Paroles; Ms. Marissa Dodson, representative from the American Civil Liberties Union, representing Mr. Will Harrell; Mr. Win Johnson, representing Mr. Rich Hobson, Director of the Alabama Office of the Courts; and the Honorable John H. Merrill, Secretary of State of the State of Alabama. Absent from the meeting were Alabama State Representatives Chris England and David Faulkner and Alabama State Senator Cam Ward.

Also present were Mr. Ed Packard, Director of Elections for the Office of Secretary of State, and Mr. Richard J. Laird, Chief Legal Counsel to the Secretary of State.

CALL TO ORDER AND WELCOME

Secretary John H. Merrill called the meeting to order at 10:00 a.m. and with a quorum present, the Commission transacted the following business to-wit:

CONSIDERATION OF AMENDMENTS

Secretary Merrill began the meeting by opening a discussion about moral turpitude legislation establishing a goal for the meeting to discuss the contents of previously proposed legislation to properly define the term moral turpitude.

Carol Hill – raised a question regarding the discrepancies in crimes on a list prepared by her county clerk and a list established by the state with new legislation.

Ed Packard – discussed logistics of determining list that would be inclusive of only items that entire group agrees on.

Win Johnson – proposed postponing any vote until a history of the term moral turpitude could be established.

Ed Packard – discussed practices for restoration of rights in different states. A handout was then brought to the attention of the members which outlined the standard practices and procedures related to felony voter disenfranchisement in many of the states including many southern states.

Secretary Merrill proposed a review of the list of different practices among the southern states as the direction that the committee should direct its attention. He then introduces Ms. Marissa Dodson, from the ACLU to make comment on the issue.

Marissa Dodson – brings up the idea of automatic restoration for discussion. Focus is whether an automatic process could be considered upon completion of sentence and once the citizen had paid all restitution related fees.

Secretary Merrill – If someone has paid the state by serving their sentence and has paid all required restitution, is anyone opposed to a systematic method of automatic restoration?

Quin Hillyer – Brings up incentives as a way that prevents crime. What would be in the incentives to protect the people?

Long discussion then takes place regarding burden of court cost and fees and a debate as to the justification for allowing a reinstatement of rights to people that have indicated poor or lack of character.

Quin Hillyer – proposes removing court cost and fees from requirements to reenfranchisement

Extensive discussion followed showing the presence of some disagreement as to whether or not fines, fees, and court costs are an aspect of punishment or not, and whether or not they should be included in the requirements for reinstatement.

Secretary Merrill – At the conclusion of the discussion Secretary Merrill asked if there was anyone that disagreed with automatic restoration.

Quin Hillyer and a few others voiced concerns regarding the automatic reinstatement of rights.

SECRETARY MERRILL CONCLUDED THE MEETING BY ESTABLISHING THREE MAJOR ISSUES NEEDING TO BE DECIDED ARE (1) WE NEED TO ESTABLISH WHAT IS MEANT BY AUTOMATIC RESTORATION (2) IF AUTOMATIC RESTORATION IS A FAVORABLE OPTION AND (3) IF THE MAIN OBJECT SHOULD CENTER AROUND A REFORMATION OF THE PROCESS OF RIGHTS RESTORATION.

ADJOURNMENT

Before adjourning the committee decided to reconvene December 21, 2015 from 10:00 a.m. through 1:30 p.m. with lunch being provided by the Secretary of State's Office.

With no other business before the body the Commission adjourned at 11:30 p.m.

John H. Merr

Alabama Secretary of State