Statement of Support for the Democracy Restoration Act

Endorsed March 2014

WHEREAS, the National Asian Pacific American Bar Association (NAPABA) is the national association of Asian Pacific American attorneys, judges, law professors and law students, representing the interests of over 40,000 attorneys and nearly 70 national, state, and local Asian Pacific American bar associations; NAPABA members include solo practitioners, large firm lawyers, corporate counsel, legal service and non-profit attorneys, and lawyers serving at all levels of government; and NAPABA is committed to addressing civil rights issues confronting Asian Pacific American communities and people of color;

WHEREAS, 5.3 million U.S. citizens are denied the right to vote because of criminal convictions, with nearly 4 million of them already out of prison;

WHEREAS, the patchwork of felony disenfranchisement laws among the states has contributed to misperceptions and misinformation, including the misunderstanding that many eligible voters are barred from voting, compounding the issue of disenfranchisement;

WHEREAS, individuals who have completed their prison terms would be better able to reintegrate into and positively contribute to society if they were able to fully participate in the decisions impacting their communities and families;

WHEREAS, felony disenfranchisement laws are relics of the Jim Crow era and today perpetuate discrimination by disproportionately impacting communities of color, who face higher rates of incarceration than on average (for example, 13 percent of African American men – nearly seven times the national average – are currently unable to vote because of a criminal conviction);

WHEREAS, the Fifteenth Amendment of the U.S. Constitution and Section 2 of the Voting Rights Act both prohibit the denial or abridgement of the right of any U.S. citizen to vote because of race or color;

WHEREAS, the U.S. Supreme Court has said that the “franchise of voting” is a “fundamental political right” and “preservative of all rights”; and

WHEREAS, the exclusion of millions of U.S. citizens from access to the electoral process critically undermines America’s democracy.

THEREFORE BE IT RESOLVED, that NAPABA:

1. Supports the passage of the Democracy Restoration Act and the Voter Empowerment Act, which incorporates the Democracy Restoration Act. This legislation would establish
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a federal standard to restore voting rights in federal elections to the disenfranchised who have been released from prison and are now living in their communities.

2. Authorizes its president, board, and staff to communicate the content of this resolution to its members, affiliates, other bar associations, members of Congress, the Administration, the press, and others to take steps to implement this resolution, as they deem necessary.

3. Supports this resolution as a policy priority until it is withdrawn or modified by subsequent resolution.