

Subject: AGO News: State to appeal King County ruling on felon voters
From: "Guthrie, Janelle \(ATG\)" <JanelleG@ATG.WA.GOV>
Date: Wed, 29 Mar 2006 10:12:30 -0800

STATE OF WASHINGTON

Attorney General Rob McKenna

FOR IMMEDIATE RELEASE

March 29 , 2006

State to appeal King County ruling on felon voters

OLYMPIA...Secretary of State Sam Reed and Attorney General Rob McKenna today announced the state will appeal the King County Superior Court ruling on felon voters in *Madison v. State of Washington*.

At issue is whether felons, who have served their prison sentences but still have outstanding legal fines, victim's restitution payments or other financial obligations, should remain ineligible to vote. Washington law provides felons the opportunity to restore their civil rights, including the right to vote, either through a governor's pardon or upon issuance of a certificate of discharge, indicating they have fulfilled "all requirements of their sentences, including any and all legal financial obligations."

On Monday, King County Superior Court Judge Michael Spearman ruled the current rights restoration process unconstitutional because it is based on felons' ability to pay. Consequently, felons who have otherwise complied with their sentences, and are making payments toward unpaid financial requirements, are now eligible to vote.

McKenna and Reed made the following joint statement on the appeal:

"Each state has the right to determine the process for restoring voting rights to felons. Washington state law requires that convicted felons comply with all court-imposed sentencing requirements, including paying restitution to crime victims, before the felon's voting rights are restored.

"Under the 'rational basis test' used by the courts, the Legislature does have a rational basis to deny felons the right to vote until they have completed their entire court-ordered sentences, including payment of criminal penalties, victim's restitution, and legal fees, rather than separating out various sentencing aspects."

-30-

Contact: Janelle Guthrie, AG Media Relations Director, (360) 586-0725

Janelle Guthrie, APR

Director of Media Relations
Washington State Attorney General's Office
1125 Washington Street SE
PO Box 40100
Olympia, WA 98504-0100
Phone: (360) 586-0725
Cell: (360) 584-3046
E-mail: janelleg@atg.wa.gov

Join Attorney General Rob McKenna's Listserv for the latest news from the AG's office or visit our Web site at www.atg.wa.gov