



your  
★ VOTER ★

Volume 27 Number 8

April 2022

**President**

Lori Robinson  
president@lwvbn.org

**Office**

1272 Delaware Avenue  
Buffalo, NY 14209  
716-986-4898  
Fax 716-882-3797  
Email [lwvbn@lwvbn.org](mailto:lwvbn@lwvbn.org)

**Office Manager**

Amelia Palka-Mikes

**Office Hours**

Please call or email to arrange  
to visit if needed.

**LWVBN website**

[www.lwvbn.org](http://www.lwvbn.org)

**LWVNYS website**

[www.lwvny.org](http://www.lwvny.org)

**LWVUS website**

[www.lwv.org](http://www.lwv.org)

Voter is published 11 times a  
year. Send copy by the second  
Monday of the month to Terri  
Parks at [lwvoter@verizon.net](mailto:lwvoter@verizon.net).



# Buffalo's Outer Harbor: What's to Love?

Free and open to the public

**Date:** Wednesday, May 4, 2022

**Time:** 7:00 – 8:30 p.m.

**Location:** Buffalo History Museum, 1 Museum Ct., Nottingham at Elmwood, Buffalo 14216

*Learn how the valuable ecological networks of the Outer Harbor make connections to the surrounding wetlands and to important bird habitats, and how it functions to protect urban areas from lake storms.*

**Presenters:**

**Jay Burney**, a longtime community and conservation activist and accomplished photographer, has provided a video for viewing. Jay is a founder of The Our Outer Harbor Coalition, the Times Beach Nature Preserve, and the Learning Sustainability Campaign; Executive Director of the Pollinator Conservation Association, and international chair of Birds on the Niagara, the only international birding festival in North America.

**Margaret Wooster** is a watershed planner who has worked for almost 40 years with local governments and environmental organizations on protecting water in local streams and aquifers and in the Great Lakes Basin. She was a founder of Buffalo Niagara Waterkeeper, and Executive Director of the bi-national coalition Great Lakes United. She is the author of several books including Living Waters (2009) and Meander (2021).

**Claudia Rosen** is a Community Engagement Project Manager at Buffalo Niagara Waterkeeper. She is the lead educator for the Young Environmental Leaders Program at Niagara Falls High School and also coordinates outreach for the Buffalo River Remedial Advisory Committee.

As host, the League of Women Voters will suggest ways to advocate for the whole of the Outer Harbor to become a New York State park.

**Thanks to our co-sponsors:**

**The Buffalo History Museum**

**Our Outer Harbor**

**League of Women Voters Mission**

The League of Women Voters is a good government organization that encourages informed and active participation in the political process, works to increase understanding of major public policy issues, and influences public policy through education and advocacy. The League never supports political parties or candidates.

## Letter from Our President

Dear Members and Friends,

I hope this message finds you well, and ready to enjoy the longer days, warmer weather, and the end of Covid-19 restrictions.

I am thrilled that we will be joining with two other Western New York Leagues for our important New York State League concurrence meeting and our field trip to the Chautauqua Institute this summer.

Our Voter Services Committee chair, Barbara Gunderson, has been continuing to do important work. The new College Committee Coordinator is Sharon Dobkins, and she will manage the college voter outreach program and enlist volunteers to coordinate activities at each campus. The creation of this committee should expand our voter outreach.

Registration to attend the **LWVUS Convention**, June 23 – 26, is now open. The Convention page with lots of information is at <https://www.lwv.org/manage-your-league/council-convention>. Delegates may attend the convention in person in Denver, CO, or virtually. Registration is \$475 in person and \$300 virtually. LWV Buffalo/Niagara is entitled to five voting delegates. Currently, we have two members going to Denver for the convention. There are funds in our budget to help defray the cost. Please consider attending either way and if you'd like to be one of our delegates contact me at [president@lwvbn.org](mailto:president@lwvbn.org).

In League,

*Lori Robinson*

## Great Decisions

The Great Decisions discussion group will meet at 10:00 a.m. on Thursday, April 7, via Zoom to discuss Chapter 3 in the 2022 Great Decisions book: **Putin's Russia**. The Foreign Policy Association, which sponsors this discussion group nationwide, says this about the topic: "Russia and the United States have many areas of conflict and some possible areas of mutual interest. Arms control, Russian interference in U.S. elections and support of cyber attacks, the status of Ukraine, the fate of opposition politicians in Russia, all continue to be concerning. How will the new administration in Washington approach these issues?" *By Allen Lynch*

Pauline Dyson will moderate this discussion group, which is so relevant to today's Russian Ukrainian conflict. Contact Fran Holmes at 716-885-8449 or [mfranholmes@gmail.com](mailto:mfranholmes@gmail.com) for additional information.

*Fran Holmes, Great Decisions Coordinator*

## **Tackling New York's Climate Emergency** **Thursday, April 7, 7:00 p.m. on Zoom**

New York's Climate Leadership and Community Protection Act of 2019 commits to 100% zero-emission electricity by 2040, and a reduction of at least 85% below 1990-level GHG emissions by 2050. Join experts from Environmental Advocates of New York as they discuss the roadmap for accomplishing this ambitious goal. Q and A to follow. This event is free and open to members of the public!

[Register by clicking here.](#)

LWVNYS Environmental Specialist Beth Radow will moderate the panel discussion. Panelists are from Environmental Advocates.

## LWV New York State Concurrence Meeting

The LWV Buffalo/Niagara will meet with the LWV of Chautauqua County and the LWV Cattaraugus and Allegany Counties MAL Unit to review the Board of Elections Administration and Voting for the Incarcerated positions. Erica Smitka, the New York State Deputy Director, and Sally Robinson, the State Board Advocacy Chair, will join us.

The study materials had been sent to each member for whom LWWNYS has an email address and are included with this VOTER. The 13-page Administration of Elections study materials have been attached to the email for the April Voter. If you need a paper copy, please call the League office and we will send the information to you.

What is a concurrence? An agreement among a substantial number of members, reached after study, leading to acceptance, reaffirmation, or rejection of a previously formulated statement of position.

To learn more about the League's positions on Board of Elections Administration and Voting for the Incarcerated and to vote on these, please attend this Zoom meeting, offered in collaboration among the League of Women Voters of Chautauqua County, Buffalo/Niagara, and Cattaraugus/Allegany Counties.

**April 13, 2022, 7:00 p.m. Eastern Time (U.S. and Canada)**

**Register in advance for this meeting:**

<https://us02web.zoom.us/meeting/register/tZckd-igrz4qGdACCFSIX6rL4GITIa9tU2za>

**After registering, you will receive a confirmation email containing information about joining the meeting.**



**It's almost summer!**

**We are planning a road trip to the Chautauqua Institute during the last week in July.**

**The topic of the week is the VOTE and Democracy. We will be meeting up with our fellow League members from Chautauqua, Cattaraugus, and Allegany Counties.**

**Carpooling will be available!**

**More information on the main speaker, exact date and cost will be coming soon.**

## League of Women Voters of New York State

### 2022 Concurrence on Voting for Incarcerated Individuals

**Proposed Position:** The League of Women Voters of New York State supports extending the right to vote to all currently incarcerated individuals.

#### **Purpose of the Concurrence and Response Process**

In New York State, those sentenced to prison for a felony conviction lose the right to vote in federal, state, and local elections while incarcerated. Last year, state law was amended to restore the right to vote for individuals on parole, a goal of voting rights groups including the League. Now that victory has been achieved, re-entry advocates and other voting rights groups in the state are turning their attention to achieving voting rights for all currently incarcerated individuals including those convicted of a felony. It is planned as a multi-year effort.

LWVUS has confirmed that they do not have a position that covers restoration of voting rights to those currently incarcerated. To support this effort, the state League needs to determine if we have member understanding and agreement on this objective. At its December 2 meeting, the state board voted to support a concurrence with the right to vote for all incarcerated individuals. The concurrence needs to meet the state League guidelines for participation and win two-thirds approval to become a state League position.

**We encourage you to conduct this concurrence process at the same time you are conducting the election administration concurrence. A separate response form is attached, and both are due May 1.**

We are urging all local Leagues to have member meetings to discuss both sets of materials and the state League will give greater weight to member input as part of a local League response. For members who cannot attend their local League discussions, or who are members of a local League not participating in the study, the state League will organize virtual discussions and Q&A sessions. Individuals may complete an individual response form if they participate in these sessions.

#### **Who is currently disenfranchised in New York State?**

State Election Law provides that no one convicted of a felony may register to vote or vote while incarcerated. This applies to state felonies and incarceration in New York State, incarceration of New York residents in other states, and federal incarceration of New York residents. People in pre-trial detention and people serving misdemeanor sentences maintain the right to vote.

Based on 2020 and 2021 New York Department of Corrections reports, The Sentencing Project estimates 30,000 incarcerated New Yorkers are disenfranchised, of whom 72% are Black and Latinx. According to the last census, Black and Latinx persons make up only 37% of the state's total population. Nearly half (48%) of the individuals in New York's prisons are Black, four times their share of the population (12%).

Because of changes in crime rates and arrests in New York City, most of the state's prison population no longer originates from the five boroughs. If enfranchised, prisoners would vote in their place of residence before incarceration which is where they are counted for the census. The average age of incarcerated individuals in 2019 was 39 years old. Over a quarter of the prison population is between 18 and 29 years old, and a third are in their thirties.

#### **Where are incarcerated individuals allowed to vote?**

In the United States, Maine, Vermont, Puerto Rico, and Washington, D.C., are the only places where the incarcerated are allowed to vote. Washington, D.C., implemented this reform last year, becoming the only place in the country that has restored voting rights to people in prison. They have always had the right to vote in Maine and Vermont. Two other states, Utah and Massachusetts, kept the franchise for the incarcerated until 1998 and 2000 respectively.

Internationally, blanket bans on voting by the incarcerated are the exception but 11 countries, including the United States, Argentina, Brazil, Chile, India, Russia, and the United Kingdom, impose them. The incarcerated

in many countries, including Canada, Israel, Ireland, and South Africa are allowed to vote in all elections. In 14 countries, including Germany, France, Italy and Belgium, there is selective restriction of felons' voting rights depending on the nature of the crime.

### **Arguments in support of extending the right to vote to incarcerated individuals.**

The primary argument in favor is that the right to vote is an inalienable democratic right that should not be withheld for any reason, especially as a form of punishment. It also disproportionately affects people of color, particularly Black and Latinx men. For this reason, advocates frequently refer to felony disenfranchisement as a form of voter suppression, one of the vestiges of Jim Crow.

Another argument suggested against disenfranchisement is the long-term effect it has on civic involvement. With a quarter of the prison population in New York between 18 and 29 years old, inmates will often spend those years disenfranchised. These are also the years when citizens tend to develop voting habits.

### **Arguments opposed to enfranchising incarcerated individuals**

Those in favor of disenfranchisement argue that it is an appropriate and proportionate punishment for those who have knowingly and intentionally violated the laws of society. In addition to the loss of personal freedom, the incarcerated also forfeit important civil rights, including the right to vote, a privilege and right of law-abiding citizens. Restricting the right to vote is considered appropriate punishment, i.e., a "civil death," for those who have broken the "social contract." Others argue that persons in prison should prove that they are responsible enough to engage in the democratic processes.

Although there is a disproportionate racial impact of disenfranchisement with the majority of those impacted being Black and Latinx, proponents of disenfranchisement point out that this is not because of race but because of their convictions. An alternative path to civic engagement and responsibility for the incarcerated would be civics education and college courses.

### **Additional Reading**

- The Sentencing Project, 2021 Voting Rights in the Era of Mass Incarceration: A Primer  
<https://www.sentencingproject.org/publications/felony-disenfranchisement-a-primer/>
- In 2018, former Governor Andrew Cuomo signed an executive order restoring voting rights to individuals released on parole after individual review. By 2019, this process had effectively re-enfranchised more than 49,000 New Yorkers. The Governor's order was later codified in state law by the passage of S830 (Comrie)/A4448 (O'Donnell), which automatically restored voting rights to parolees post-incarceration. See more information at:  
<https://www.gothamgazette.com/state/parolees-voting-rights-restoredunder-cuomo-executive-order>  
<https://www.brennancenter.org/our-work/research-reports/voting-rights-restoration-efforts-new-york>
- Jim Crow in New York, The Brennan Center:  
[https://www.brennancenter.org/sites/default/files/legacy/publications/JIMCROWNY\\_2010.pdf](https://www.brennancenter.org/sites/default/files/legacy/publications/JIMCROWNY_2010.pdf)  
<https://www.brennancenter.org/our-work/nys-jim-crow-laws-back-day-and-what-remains-today>
- For full international survey:  
<https://felonvoting.procon.org/international-comparison-of-felon-voting-laws/>
- For arguments against enfranchising the incarcerated, see for example: The Heritage Foundation, 2018  
<https://www.heritage.org/election-integrity/commentary/there-are-good-reasons-felons-lose-the-right-vote>



LEAGUE OF WOMEN VOTERS®  
OF BUFFALO/NIAGARA

1272 Delaware Avenue, Buffalo, NY 14209

ADDRESS SERVICE REQUESTED

## April 2022

*Note: Due to social distancing and stay-at-home practices, meetings are subject to change and may take place via phone or computer. Please contact the committee chair for the latest information.*

**Tuesday, April 5, 4:00 p.m.**  
**Program, Issues & Events Committee**  
via Zoom

**Wednesday, April 6, 4:00 p.m.**  
**Waterfront Committee**  
via Zoom

**Thursday, April 7, 10:00 a.m.**  
**Great Decisions**  
via Zoom

**Monday, April 11, 4:00 p.m.**  
**Board Meeting**  
via Zoom

**Wednesday, April 13, 2:00 p.m.**  
**Local Government Committee**  
via Zoom

**Wednesday, April 13, 7:00 p.m.**  
**LWV New York State Concurrence meeting**  
via Zoom

**Friday, April 15, 1:00 p.m.**  
**Money in Politics Committee**  
League Office

**Tuesday, April 19, 7:00 p.m.**  
**Diversity/Equity/Inclusion Committee**  
via Zoom

**Friday, April 22, 11:00 a.m.**  
**Healthcare Committee**  
via Zoom

**Tuesday, April 26, 4:30 p.m.**  
**Education Committee**  
via Zoom

**Wednesday, April 27, 1:00 p.m.**  
**League Discussion Group**  
League Office