

# Is Voting a Right for Every Citizen? What if you commit a crime?

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*“Our democracy is weakened when one sector of the population is blocked out of the voting process.”*

— U.S. Representative John Conyers, Jr.

In the above quote, who do you think Rep. Conyers is talking about? Who is “blocked out of the voting process” in the United States?

Since the founding of this country, most states in the U.S. have passed laws that take away the right to vote from felons and ex-felons (a felon is a person who has been convicted of a serious crime). These are called felony disenfranchisement laws.

Laws are different from state to state. However, in all states except Maine and Vermont, felons cannot vote while they are in prison. In many states, people who are on parole or have already served their sentence are still barred from voting, sometimes permanently. The United States is the

## Definitions

**Bigamy:** being married to two people at the same time.

**Disenfranchisement:** to deprive someone of a right of citizenship, especially the right to vote.

**Literacy Tests:** very difficult reading tests given to people registering to vote.

**Parole:** a conditional release of a prisoner before his or her sentence is finished.

**Poll Taxes:** a fee African-Americans had to pay to vote.

**Vagrancy:** wandering from place to place; having no permanent home or income.

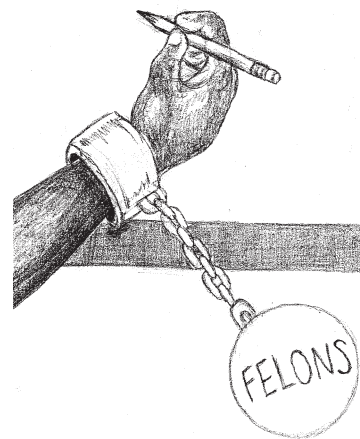
only democracy in which convicted felons who have served their sentences may be disenfranchised for life.

People who support felony disenfranchisement claim that convicted felons are bad people who should not vote and that disenfranchisement should be part of their punishment. People who disagree with these laws say that voting is every citizen’s right and has nothing to do with the sentence for a crime. In fact, voting helps ex-offenders become part of a stable community again — it can be part of the rehabilitation process.

In 2000, Florida’s felony disenfranchisement laws received a lot of attention because over 600,000 ex-felons were not allowed to vote in the presidential election. President Bush won in Florida by only 537 votes. At that time, Florida stripped citizens who were convicted felons of their voting rights for life — even after they’d completed their punishment — unless they went through a very complicated application process that many ex-felons didn’t know about. After strong public outcry, Florida changed the law so that non-violent offenders automatically have their voting rights returned after they complete their sentences.

## The History of Disenfranchisement

In 1890, Mississippi was the first state to use felony disenfranchisement laws against African-Americans. Until then, the Mississippi law disenfran-



chised those guilty of any crime. In 1890, the law was changed to focus on crimes such as bigamy and vagrancy. These crimes were more common among African-Americans because slavery had separated them from their families and/or left them homeless. Felony disenfranchisement laws, combined with other laws like poll taxes and literacy tests, disempowered African-American communities and excluded them from the political process.

### A Shifting Terrain

Since each state makes and changes its own laws, it can be difficult to see a national trend on this issue. However, most of the changes in the last few years have been toward loosening the restrictions on voting rights. Some states, such as Nebraska, Alabama, Maryland, and New Mexico, have repealed their lifelong bans on voting by ex-felons. Many others, such as Rhode Island, Tennessee, Nevada, and Iowa, have changed their laws so that voting rights are restored to ex-felons more quickly or through simplified procedures. To find out about the laws in your own state, go to <[www.sentencingproject.org](http://www.sentencingproject.org)>.

### The Impact of Felony Disenfranchisement Laws

Today, felony disenfranchisement laws continue to punish people who have served their sentences and discriminate against people of color.

- 35 states prohibit felons from voting while they are on parole.
- Two states deny the right to vote to all ex-felons who have completed their sentences.
- 13% of Black men (1.4 million citizens) are disenfranchised, a rate seven times the national average. Poor people and Latinos are also overrepresented among the disenfranchised.
- About 5.3 million Americans have lost their voting rights due to felony convictions.
- Given current rates of incarceration, three in ten of the next generation of Black men can

expect to be disenfranchised at some point in their lifetime.

- Nationally, about 7.5% of Black adults (men and women) are disenfranchised, compared to 1.5% of Whites.

Another way the criminal justice system disempowers people of color is through redistricting. Every ten years, states redraw their electoral maps based on population changes. During this process, states count prisoners where they “reside” (where the prisons are, in mostly rural areas) rather than where they come from (poor areas of cities). This increases the “official” population in rural areas, so they get a bigger share of government funds for roads, schools, and social services. They also get to elect more representatives, even though many of their phantom “residents” in prison cannot vote.

### Post-reading:

1. What about this article do you think is worth discussing?
2. What is something you learned that you didn’t know before?
3. Go to the suggested website to find out about the laws in your state. What do you hope they are?
4. Return to the quote of Representative John Conyers, Jr., you read before the article. Do you think these laws weaken or strengthen our democracy?
5. Here’s another quote from Representative John Conyers, Jr. What do you think about what he is saying?

*“If we want former felons to become good citizens, we must give them rights as well as responsibilities, and there is no greater responsibility than voting.”*

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*Andy Nash is a Professional Development Specialist who believes that the purpose of adult education is to build and protect democracy. She works at NELRC/World Education. Most of the information in this article comes from articles that can be found at <[www.demos-usa.org](http://www.demos-usa.org)> and <[www.sentencingproject.org](http://www.sentencingproject.org)>.*