

VOTING RIGHTS FOR PEOPLE WITH PAST CONVICTIONS: BACKGROUND AND KEY MESSAGES

There is huge national momentum toward restoring voting rights to people with criminal convictions. Since 1997, at least 23 states have made legislative or policy changes restoring the vote to at least some people with criminal convictions or liberalizing the state's clemency procedures.

Despite this significant progress, nearly 6 million American citizens remain unable to vote because of a past criminal conviction. As many as 4.4 million of these citizens live, work, and raise families in our communities. But because of a conviction in their past they are still denied this fundamental democratic right. These laws, deeply rooted in our troubled racial history, have a disproportionate impact on minorities. Across the country, 13 percent of African-American men have lost their right to vote, which is seven times the national average. Criminal disenfranchisement laws deny those who have paid their full debt to society the opportunity to engage in civic life.

WHAT RESEARCH SHOWS

- **Opportunity – Voters Support Restoration:** More than half of all likely voters believe that “once people convicted of a crime have served their time, it is only right to restore their voting rights.”
- **Opportunity – Support for Accessible Voting:** 99 percent of likely voters surveyed believe the United States “needs to work to keep our voting system free, fair, and accessible.”

RESTORING VOTING RIGHTS TO PEOPLE WITH PAST CONVICTIONS

Delaware passed a constitutional amendment expanding opportunities for people with criminal convictions to regain their right to vote. Additionally, in April 2014, Congress introduced the Democracy Restoration Act, which seeks to restore voting rights in federal elections to the 4.4 million disenfranchised Americans who have been released from prison and are living in the community, but are still denied the right to vote.

BLOCKING THE BALLOT: IMPEDING VOTING RIGHTS RESTORATION

Three states also made it harder to restore voting rights for people with past criminal convictions. These laws disproportionately impact African-Americans. Nationwide, 7.7 percent of African-Americans have lost the right to vote, compared to 1.8 percent of the rest of the population.

KEY MESSAGES

Advocates arguing for measures to restore voting rights to rehabilitated people with past convictions — and against measures to disenfranchise those with past convictions — can draw upon the following messages to reach key audiences:

- Once people convicted of a crime have served their time, it makes sense to restore their voting rights. Law enforcement agrees that restoring voting rights gives people a stake in their communities and reduces their chances of reoffending.
- Voting helps people rejoin society. Studies show that people who serve their time and vote are less likely to commit crimes in the future.
- Let's make our communities safer by helping people who have served out sentences be productive members of society. In the long run, it will make us all safer and save taxpayer dollars.
- When you complete your jail time, you earn your rights back. But millions of Americans living and working in our communities still cannot vote. This isn't the way our criminal justice system should work.
- We need a modern criminal justice system that works for the 21st century. That means those with past convictions who have served their time should be able to exercise their civic responsibility and vote.
- Americans believe in second chances. If you do the crime, and do the time, then you have earned forgiveness. Restoring the right to vote gives a person an opportunity for redemption and a chance to give back to the community.

For more on new voting restrictions passed since the 2010 election, visit: www.brennancenter.org/votingsince2010

KEY FACTS

When promoting measures to protect and expand voting access for people with past criminal convictions, some facts advocates can cite include:

- **Disproportionate Impact on Racial Minorities:** Of the 4.4 million Americans currently denied the right to vote due to a past conviction, 2 million are African-American. Nationwide, African-Americans are four times as likely as the general population to have lost the right to vote, while nearly one in seven African-American men has been denied the right to vote.
- **Progress in Redressing Unjust Laws:** More than 20 states have improved these laws in the past two decades, either by repealing permanent voting bans or by easing the restoration process. Just last year, Delaware passed a constitutional amendment that undid much of its criminal disenfranchisement law, and Virginia's governor issued an executive order that made it possible for more people to get their voting rights back.