

Voting rights part of rehabilitation

The Register's editorial • December 21, 2010

The criminal-justice system should serve two purposes: First, penalize criminal offenders; second, put offenders on a path toward crime-free lives as contributing members of society. This country obviously has achieved the first part. It isn't close to achieving the second.

The ability to exercise the fundamental right to vote is one important step for criminal offenders in returning to full participation in their community, state and nation. But the right to vote is among many offenders lost upon conviction for felonies and other serious crimes. In some states, that's true even after offenders have completed prison sentences. Most states now restore the right to vote once offenders complete criminal sentences, in part because it is the right thing to do, in part to encourage post-conviction rehabilitation.

Iowa joined those states five years ago with an executive order signed by then-Gov. Tom Vilsack automatically restoring voting rights upon completion of sentences, and it was widely applauded. But the right to vote may again be denied to some of Iowa's ex-offenders: While campaigning for governor, Terry Branstad said he would revoke Vilsack's order automatically restoring voting rights.

Branstad's spokesman said last week the governor-elect objects to the fact that Vilsack's order automatically restores rights to all ex-convicts, regardless of whether they have fulfilled their obligation to pay all court fees, fines and restitution owed victims. Branstad says those obligations should be paid before having voting rights restored.

That might seem reasonable, but in fact it would mean that many offenders who complete their sentences each year will forfeit their voting rights for years, possibly forever. Those are individuals for whom it will be difficult, if not impossible, to pay all obligations owed the state. It is a challenge enough for a person with a criminal record to find gainful employment to survive, let alone to pay off what could amount to thousands of dollars in fines, fees and restitution payments.

Under Branstad's approach, convicts who have jobs and other financial resources might have their voting rights restored immediately. Those without the ability to pay would not. Thus, the right to vote could hinge on one's financial status, which is akin to an unconstitutional poll tax, according to some advocates of full voting-rights restoration.

This financial penalty would fall most heavily on low-income African-Americans in Iowa. Prior to Vilsack's order, it was estimated that because of Iowa's disproportionate rate of conviction and imprisonment of blacks, voting rights were permanently revoked for nearly 34 percent of all African-American Iowans. Iowa moved in the right direction by restoring voting rights for those Iowans, and it should not go back to blocking a large percentage of African-American Iowans from fully participating in the democratic process.

Iowa should insist all convicted offenders pay all debts to the state and to their victims. That is more likely to happen if offenders are able to rebuild successful lives outside of prison. That is more likely when they fully participate in their communities as citizens, and voters.

Source:

<http://www.desmoinesregister.com/article/20101221/OPINION03/12210336/1110/Voting-rights-part-of-rehabilitation> [Accessed 1.18.2011].