

MYTH: An individual with a felony conviction can never vote.

FACT: Almost all states restrict voting rights for a period of time, but every state has a restoration process to regain voting rights. Generally, it is not a matter of whether one can vote, but how and when one can vote.

Almost all states restrict the voting rights of persons with felony convictions. The cumulative effect of such laws is that on any given day, about 13% of African American men are unable to vote.¹ Such disenfranchisement need not necessarily be permanent, however. It is a common misconception that all states permanently disenfranchise a person on the basis of a felony conviction. In fact, every state is different with respect to disenfranchisement and restoring one's right to vote.

While most states do take away a citizen's right to vote for a criminal conviction, most states automatically restore that right once a person is no longer incarcerated or once they complete probation or parole. Thus, in the real sense, most people have their voting rights suspended, not terminated. A snapshot of state policies:

- 13 states (plus the District of Columbia) suspend a citizen's right to vote only while incarcerated. Those states are DC, HI, IL, IN, MA, MI, MT, NH, ND, OH, OR, PA, RI, and UT.
- 23 states suspend a citizen's right to vote until certain sentence obligations are satisfied, including probation and parole, and often times the payment of fees and restitution associated with such.
- 8 states require an additional waiting period after sentence completion, and/or additional requirements, such as applying for clemency or pardon from a governor, parole board, or judge, or even convincing a state legislature to pass a bill specifically designated to re-enfranchise an individual.

- In two states, ME and VT, people with criminal convictions are not disenfranchised. Individuals may vote even while incarcerated.
- FL, IA, KY, and VA permanently disenfranchise individuals for criminal offenses. All of these states have restoration processes for all disqualifying criminal convictions; however some are lengthy and left to the discretion of the governor or pardon board.

For More Information:

The Sentencing Project

<http://www.sentencingproject.org/template/page.cfm?id=133>

National Conference of State Legislatures

<http://www.ncsl.org/default.aspx?tabid=16529>

What is a REENTRY MYTH BUSTER?

This Myth Buster is one in a series of fact sheets intended to clarify existing federal policies that affect formerly incarcerated individuals and their families. Each year, more than 700,000 individuals are released from state and federal prisons. Another 9 million cycle through local jails. When reentry fails, the social and economic costs are high -- more crime, more victims, more family distress, and more pressure on already-strained state and municipal budgets.

Because reentry intersects with health and housing, education and employment, family, faith, and community well-being, many federal agencies are focusing on initiatives for the reentry population. Under the auspices of the Cabinet-level interagency Reentry Council, federal agencies are working together to enhance community safety and well-being, assist those returning from prison and jail in becoming productive citizens, and save taxpayer dollars by lowering the direct and collateral costs of incarceration.

For more information about the Reentry Council, go to: www.nationalreentryresourcecenter.org/reentry-council

¹ Human Rights Watch and The Sentencing Project. "Losing the Vote." 1998. http://www.sentencingproject.org/doc/File/FVR/fd_losingthevote.pdf