

Commentary; They've Paid Their Debt; Let Them Vote; [HOME EDITION]

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In the state of Alabama, if you commit a felony, you forever lose the right to vote. It's a tough law, passed in the aftermath of the Civil War, and some people think it's time it was eased. But when the state Legislature tried to do just that last month, passing a bill to make it easier for those who have served their time to regain their voting rights, Republican Gov. Bob Riley vetoed it.

Now the battle is intensifying. The Rev. Jesse Jackson plans to take part in a march on Montgomery today to protest the veto. And the six Democratic presidential candidates who attended the NAACP convention July 14 in Miami expressed support for restoring voting rights to felons who had served their time, not just in Alabama but wherever those rights were denied.

Why are such voting bans across the country stirring up so much controversy? Since when are felons an important political constituency? To understand the answer, it's important to know the background.

Some form of felon disenfranchisement exists in 48 of the 50 states. Only two -- Maine and Vermont -- allow all people convicted of a felony to vote, including those in prison. At the other extreme, 11 states disenfranchise some or all felons indefinitely.

In many states, these laws were the product of explicit efforts to disenfranchise black voters after the Civil War. And even today, states with higher proportions of African Americans in their prison systems are far more likely to have strict laws disenfranchising felons.

The net effect -- intentional or unintentional -- is to dilute African American voting strength. And because African Americans vote disproportionately for Democrats, an issue that affects African Americans is an issue that affects the Democratic Party.

Low-income voters are also overrepresented in prisons, and they too tend to vote Democratic.

This effect is not just on the fringes. Our estimates show that at least seven of every 10 votes cast by these lost felon voters would go to Democratic candidates. In the 2000 presidential election, more than 4.6 million Americans were barred from voting because of felon disenfranchisement laws across the country. Of those, 35% had already served their time.

Now consider Florida, which disenfranchises not only prisoners but those who have already served their time. Our work suggests that if that state's 613,000 former felons had been permitted to vote -- and even if you factor in a far-lower-than-expected turnout rate than the general population -- Al Gore would have defeated George W. Bush by about 60,000 votes and would have been elected president.

What's more, if all U.S. felons -- in and out of prison -- had been allowed to vote, Gore might have carried the nation by more than 1 million votes.

Disenfranchised felons make up more than 2% of the voting age population -- exceeding the margin of victory in four of the last 11 presidential elections.

Indeed, our research suggests that several Senate elections, and possibly partisan control of the Senate in the 1980s and again in the 1990s, hinged on the disenfranchisement of felons.

Although felons remain disenfranchised in 48 states during the time they are in prison, the recent trend

has been toward re- enfranchisement once they are out. Since 1947, 23 states have repealed disenfranchisement altogether for those felons who have served their time.

It is undeniable that voting embodies participation as a law- abiding stakeholder in society. Our research suggests that when felons are allowed to vote and participate as citizens, it encourages them to avoid further criminal conduct. In a national survey we conducted, 80% of Americans favored re- enfranchising felons who have served their sentences. Only 31%, however, supported re- enfranchising inmates.

Removing the extreme voting bans on felons who have served their terms would thus be consistent with public opinion, international practices and correctional efforts to reintegrate criminal offenders into society.

Credit: Christopher Uggen, an associate professor of sociology at the University of Minnesota, and Jeff Manza, an associate professor of sociology and political science at Northwestern University, are coauthors of the forthcoming "Locked Out: Felon Disenfranchisement and American Democracy" (Oxford University Press).