

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

FACT: Nearly every state has a restoration process to regain voting rights. Only a few states do not allow re-enfranchisement, and those restrictions only apply to a few specific offenses. Generally, it is not a matter of whether one can vote, but how and when one can vote.

It is a common misconception that all states permanently disenfranchise a person on the basis of a felony conviction. Every state is different with respect to disenfranchisement and restoring one's right to vote. There is no federal law disqualifying people with convictions to vote.

While many states do temporarily 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 have completed probation or parole. Thus, in the real sense, most incarcerated individuals have their voting rights suspended. In particular:

- 14 states (including the District of Columbia) suspend a citizen's right to vote only while incarcerated. Those states are DC, HI, IL, MA, MT, NH, ND, OH, OR, PA, and UT.
- 23 states suspend a citizen's right to vote until certain post-incarceration sentences and obligations are satisfied, including probation and parole, and often times the payment of fees and restitution associated with such.
- 12 states require an additional waiting period, ranging from two to seven years, 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.

Some states do permanently disallow the restoration of one's voting rights for certain crimes committed - these include AL, TN, OH, and MD. In these states, even pardons, expunged

records, or other such restoration methods are disallowed. Some sources incorrectly cite VA, KY, IA, and FL as states that permanently disenfranchise individuals for criminal offenses; all of these states actually have restoration processes for all disqualifying criminal convictions, albeit some are lengthy.

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