Across the U.S., more than 6.1 million citizens are disenfranchised because of felony convictions. Nearly half of these Americans live in our communities and contribute to society having fully completed sentences, including any term of parole or probation. Yet, these citizens are deprived of the right to vote because of antiquated laws intended to suppress the votes of marginalized communities, especially African Americans.

The Gulf South is home to 45.8 percent of all Americans disenfranchised because of felony convictions—more than a third of whom are African American. In the Gulf South, African Americans of voting age are more than twice as likely as the general population to experience felony disenfranchisement, 10.8 percent and 5.3 percent respectively (see Table 1). Nowhere in America is felony disenfranchisement more common than it is in Florida.

Florida leads the nation in both the total number of citizens disenfranchised because of felony convictions and in the share of the voting-age population that is disenfranchised. For perspective, the nearly 1.7 million Floridians suffering from felony disenfranchisement is greater than the total size of New Mexico’s voting-age population of almost 1.6 million. Between 2010 and 2016 alone, Florida’s disenfranchised population increased by almost 150,000. Today, felony disenfranchisement strips voting rights from more than 1 in 10 Floridians.

Florida is one of four states with a voting ban for all convicted felons. However, eight additional states, including Alabama and Mississippi, permanently disenfranchise convicted felons for selected offenses. Mississippi’s constitution lists 22 disenfranchising crimes, including theft and forgery.

Additionally, where clemency is allowed by law, clemency appeals may be difficult. For example, in Florida, more than 10,000 petitions for voting rights restoration by ex-offenders await review by the state’s clemency board—led by Gov. Rick Scott—which approves only eight percent of requests.

As in most states, Florida’s law disenfranchising convicted felons was enacted in 1868 in the years following the Civil War. The intent behind felony disenfranchisement laws across the country was to subdue the voting power of newly freed African Americans after the passage of the Reconstruction Amendments. Research shows that states with larger black populations were more likely to impose stringent felony disenfranchisement laws. It is important to note that, according to Catholic social teaching, laws that disenfranchise are immoral and undermine the common good.

First, disenfranchisement laws are immoral because they restrict the capacity of individuals to actively participate in a key aspect of social life. The U.S. Bishops state that, “In the Catholic Tradition, responsible citizenship is a virtue, and participation in political life is a moral obligation.” Furthermore, Catholic social teaching asserts that political participation is an essential way that we exercise our responsibility for co-creating the world entrusted to us by God, which enhances human freedom. As a result, a ban on voting rights for convicted felons excludes ex-offenders from political life and from full membership in society.

Second, the common good is undermined by both “criminal behavior that threatens the lives and dignity of others and by policies that seem to give up on those who have broken the law.” Disenfranchisement is punitive and serves no rehabilitative purpose. Convicted felons are forced to serve...
Table 1: Estimates of Disenfranchised Individuals with Felony Convictions in U.S. and Gulf South States: 2016

<table>
<thead>
<tr>
<th>State</th>
<th>Total Disenfranchised</th>
<th>Share of Voting-age Population Disenfranchised (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>All</td>
<td>African American</td>
</tr>
<tr>
<td>Alabama</td>
<td>286,266</td>
<td>143,924</td>
</tr>
<tr>
<td>Florida</td>
<td>1,686,318</td>
<td>499,306</td>
</tr>
<tr>
<td>Louisiana</td>
<td>108,035</td>
<td>68,065</td>
</tr>
<tr>
<td>Mississippi</td>
<td>218,181</td>
<td>127,130</td>
</tr>
<tr>
<td>Texas</td>
<td>495,928</td>
<td>147,727</td>
</tr>
<tr>
<td>Gulf South Total</td>
<td>2,794,728</td>
<td>986,152</td>
</tr>
<tr>
<td>U.S. Total</td>
<td>6,106,327</td>
<td>2,228,118</td>
</tr>
</tbody>
</table>


Note: The disenfranchised population includes individuals with felony convictions that have completed their sentences as well as those on parole, felony probation, and in prison or jail. According to data from the Sentencing Project, the disenfranchised population with completed sentences represents between 76 and 88 percent of all felony disenfranchised persons in Alabama, Florida, and Mississippi.

a second, life-long sentence that stigmatizes and debilitates. In effect, disenfranchisement laws designate ex-offenders as “lost-causes” that do not deserve full participation in the social and political world. Instead, we must insist upon a vision of a common good that gives primacy to human dignity for all people and in all places. The dignity and rights of ex-offenders must be respected and retained as they are first and foremost people made in the image and likeness of God.

Felony disenfranchisement laws, however, might be on the decline thanks to people of good will.

In 2017, Alabama legislators reformed the state’s felony disenfranchisement law to better define disenfranchisement crimes. Prior to 2017, the state of Alabama applied an inconsistent standard of disenfranchising convicted felons who committed a “felony involving moral turpitude.” Many low-level offenders lost their right to vote in this process. Nevertheless, the recent Definition of Moral Turpitude Act is only a subtle improvement. Alabama law still lists 50 crimes that automatically lead to disenfranchisement. States across the country should expand on Alabama’s example and move to repeal all disenfranchisement laws, because they violate the voting rights of ex-offenders.

Courts are now moving in this direction. On February 1, 2018, a federal district court judge in Tallahassee, FL ruled that the "unfettered discretion that the [Florida] Clemency Board possesses" violates both the First and Fourteenth Amendments of the U.S. Constitution. In particular, the court acknowledged the arbitrary and unconstitutional nature of state disenfranchisement laws.

Additionally, the diligent and compassionate efforts of organizations such as the Florida Rights Restoration Coalition and Floridians for a Fair Democracy have succeeded in securing more than one million signatures in support of a ballot amendment that restores voting rights for ex-offenders. On November 6, 2018, Floridians will decide whether to pass the Voting Restoration Amendment to the Florida Constitution, which restores the voting rights of nearly 1.5 million Floridians with felony convictions and completed sentences. Still, at least 60 percent of voters must support the Voting Restoration Amendment in the November election in order for it to take effect. Additionally, the Voting Restoration Amendment does not extend voting rights to ex-offenders on parole or probation, a total of 91,000 individuals. Therefore, more efforts need to be taken to secure the rights and human dignity of all Floridians.

ENDNOTES

3. Ibid.
4. Ibid.
6. Ibid.

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and openly. Truly representative government must enable its citizens all to vote; otherwise, we face a return to a Jim Crow style patrician rule where the suppressed population are seen as merely a problem to be controlled rather than participants in a democratic society.

ENDNOTES The Fear of a Black Ballot

3 2018 legislation in Louisiana restores the right to register to vote for most felons on probation or parole five years after their release from prison.
4 Data Retrieved from https://www.brennancenter.org/now-voting-restrictions-america
5 Louisiana adopted a photo ID requirement for voting in 1997, including drivers’ licenses, passports, military ID, and Louisiana identification card; but allows a voter without photo ID to sign an affidavit to be able to vote.