

Impact of Recent Legal Changes in Felon Voting Rights in Five States

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This briefing paper estimates the impact of changes in state felon disenfranchisement provisions in five states since 1997. By year-end 2003, when each of these provisions will be in effect, we calculate that a total of almost 500,000 persons in these states will have regained the right to vote. For current populations, our analysis is based on U.S. Department of Justice Bureau of Justice Statistics publications (e.g., *Prisoners in the United States*). For ex-felons no longer under supervision, we rely on our own life table estimates. For legal changes that become effective after 2001, our projections apply recent rates of change to current correctional population data.

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CONNECTICUT

Legal Change: Connecticut restored voting rights to all probationers as of January 1, 2002.

Impact: We estimate that the restoration of voting rights for probationers resulted in approximately 33,054 felony probationers regaining the vote as of 12/31/2002

Sources: Projection based on 2001 population of probationers, 1997 proportion of probationers who are felons in Connecticut (last available estimate), and application of 2000-2001 rate of change in probation population to 2001-2002.

DELAWARE

Legal Change: Delaware reduced its lifetime ban on voting for felons to a five-year waiting period after completion of sentence as of June 23, 2000.

Impact: We estimate that this change resulted in approximately 6,355 former felons regaining the vote in 2000. As of 12/31/2000, we estimate that 14,384 were disenfranchised in Delaware, whereas 20,739 would have been denied voting rights under the lifetime ban.

Sources: Estimate based on our life tables, updated to include 2000 population of prisoners, parolees, and the 1997 proportion of probationers who are felons in Delaware.

MARYLAND

Legal Change: Maryland passed legislation to automatically restore voting rights to non-violent recidivists three years after completion of sentence (violent recidivists remain disenfranchised) in 2002.

Impact: We estimate that approximately 46,515 felons will regain the vote when the law takes effect in 2003. We calculate that 87,415 felons would have been disfranchised in 2003 under the old law, whereas 40,900 felons will remain disfranchised under the new law.

Sources: We count non-violent recidivists among the disfranchised for a three-year period after release and violent recidivists among the disfranchised indefinitely (until death or recidivism removes them from the ex-felon pool). Because we have not yet obtained detailed state-level data on the offense distribution of releasees from standard Bureau of Justice Statistics sources or the Maryland Department of Public Safety, we base our estimates on national data on the proportion of recidivists being released after serving time for violent felonies. Use of these data may introduce some error into the Maryland numbers, but we believe that this procedure is likely to produce reasonable estimates of the number re-enfranchised by the legal change.

NEW MEXICO

Legal Change: New Mexico removed its lifetime ban on voting for ex-felons as of July 7, 2000.

Impact: We estimate that the removal of the ex-felon voting ban resulted in 68,729 ex-felons regaining the vote as of 12/31/2001.

Sources: Estimate based on our life tables, updated to include 2001 population of prisoners, parolees, and the 1997 proportion of probationers who are felons in New Mexico.

TEXAS

Legal Change: Effective in 1998, Texas removed its two-year waiting period after completion of sentence for the restoration of voting rights for all felons.

Impact: We estimate that the removal of the two-year waiting period resulted in 316,981 former felons regaining the right to vote in 2000 who would have been disfranchised had the earlier law remained in place.

Sources: Estimate based on our life tables, updated to include 1998, 1999, and 2000 population of prisoners, parolees, and the 1997 proportion of probationers who are felons in Texas.