

FELONY DISENFRANCHISEMENT IN CONNECTICUT

Nationally, the practice of felony disenfranchisement has resulted in the loss of voting rights for more than 5 million Americans. The policy of taking away an individual's right to vote is nearly uniform (only Maine and Vermont do not have a criminal disenfranchisement provision), but there is a significant degree of variation in the restrictiveness of policies between states. In 48 states and the District of Columbia, a sentence to prison for a felony conviction includes the loss of voting rights. In addition, 36 states prohibit parolees from voting, 31 states restrict probationers from voting, and in 11 states a felony conviction can lead to a permanent loss of voting rights.

Connecticut Disenfranchisement Policy

Connecticut state law takes away the right to vote upon imprisonment and restores it automatically upon the completion of parole. As a result, an estimated 17,300 individuals are prohibited from voting in Connecticut due to a felony conviction. Nearly 3,000 of those persons are currently on parole and living in the community. By disenfranchising parolees, Connecticut is out of step with other New England states (see Table 1). Massachusetts and New Hampshire only prohibit persons in prison from voting, while Vermont and Maine do not disenfranchise any residents as the result of a felony conviction. Only Rhode Island has a state law that is as restrictive as Connecticut and that law is under reevaluation in 2006. In 2005, the Rhode Island House and Senate overwhelmingly approved an initiative to be placed on the ballot in the 2006 election to repeal the state's prohibition on voting for persons on felony probation or parole. If Rhode Island voters approve this initiative, Connecticut will be the only state in the region that continues to disenfranchise persons on parole.

Table 1 - Categories of Persons Disenfranchised in New England States, 2006

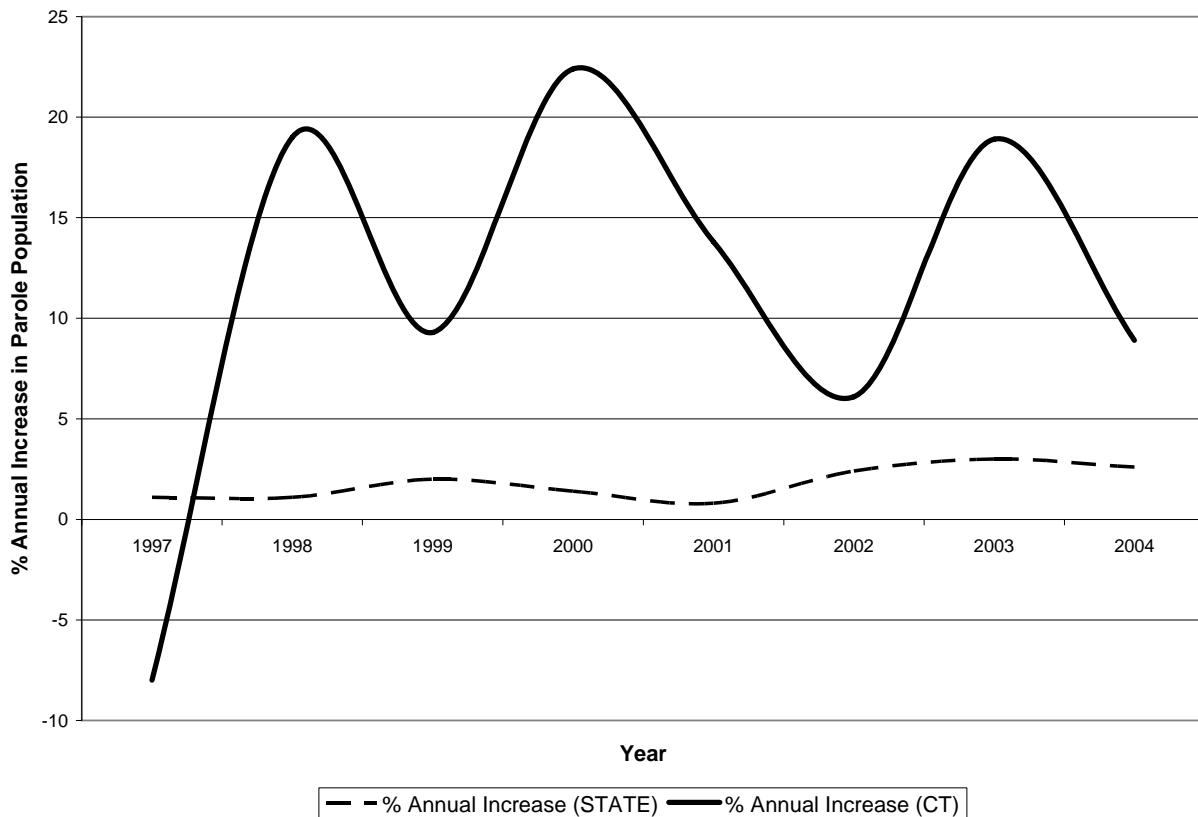
STATE	PRISON	PROBATION	PAROLE
Connecticut	✓		✓
Maine			
Massachusetts	✓		
New Hampshire	✓		
Rhode Island*	✓	✓	✓
Vermont			

* Ballot initiative in 2006 to restore voting rights to persons on probation and parole.

Race, Ethnicity and Felony Disenfranchisement for Parolees

Forty-seven percent of persons disenfranchised on parole in Connecticut are African American, a figure more than five times higher than their representation in the general population (9%). In addition, Latinos comprise 30% of the parole population, which is more than three times higher than their proportion of the state's general population (9%). Since 1997, the Connecticut parole population has increased by 198%, twenty-five times the national increase for the states (see Figure 1). In 2004, the state rate of adult residents on parole was 96 per 100,000. However, the rate for African Americans was more than six times higher (622 per 100,000), while Latino parole rates were nearly four times higher (353 per 100,000) than the state average. Because Connecticut has one of the fastest growing parole populations in the United States, the impact on the African American and Latino community warrants particular concern.

Figure 1 - Parole Population Increase, 1997 to 2004



Public Act 01-11 – Voting Rights for Persons on Probation

In 2001, *DemocracyWorks* – a nonprofit, nonpartisan organization dedicated to making the democratic process work fairly and inclusively in Connecticut – led the Connecticut Voting Rights Restoration Coalition, a diverse coalition of over 40 organizations, in advocating for the successful passage of a law that restored the right to vote for all persons currently on probation for a felony conviction. That law resulted in the return of the right to vote for over 30,000

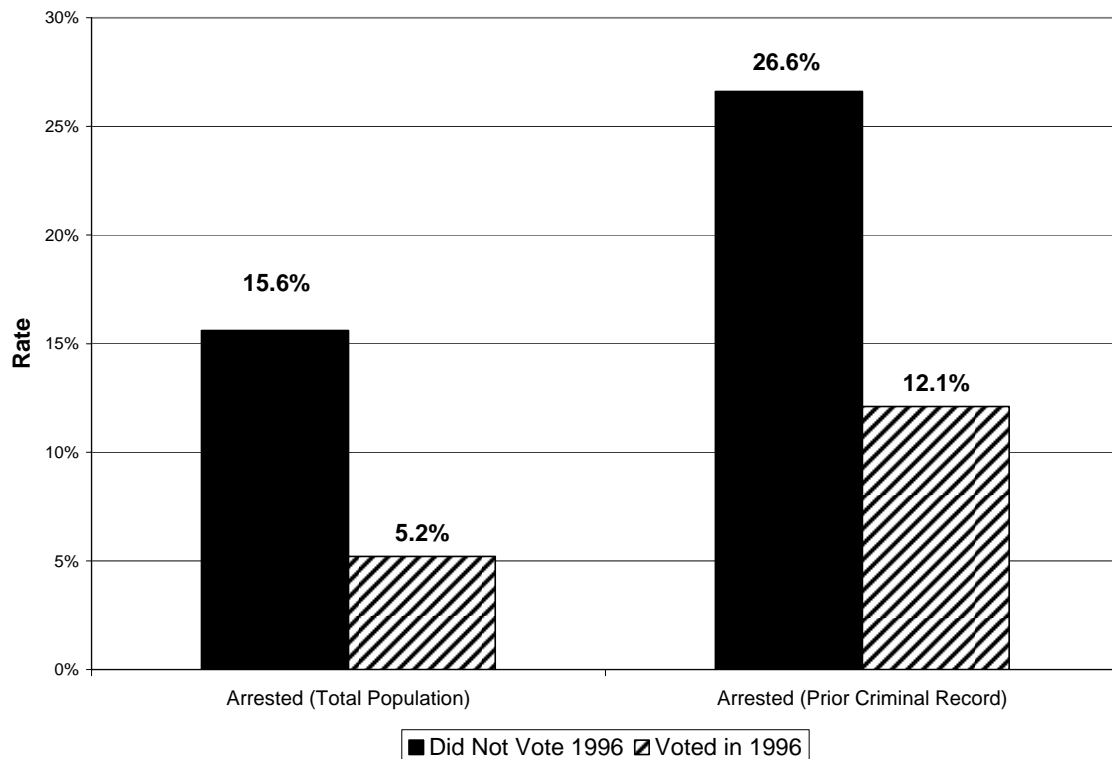
Connecticut residents. In the more than four years since that law was passed, *DemocracyWorks* has conducted a public education and outreach campaign to make eligible residents aware of their right to vote.

Consequences of Parolee Disenfranchisement

Disenfranchising persons on parole is antithetical to the reentry process and harmful to long-term prospects for sustainable reintegration into society. The symbolic message sent by prohibiting someone on parole from voting is not one of trust, responsibility or acceptance; rather, it is one of exclusion and a presumption of harmful risk to the political process.

Emerging research is now demonstrating an empirical link between voting and public safety. Sociologists Christopher Uggen and Jeff Manza discovered “consistent differences between voters and non-voters in rates of subsequent arrest, incarceration, and self-reported criminal behavior.” As seen in Figure 2, they found the re-arrest rate for persons who voted after release from supervision to be less than half that of persons who did not vote. Of those who voted in 1996, only 5% were arrested between 1997 and 2000, compared to a 16% arrest rate for non-voters. Similar effects were found among people with a prior arrest; 27% of non-voters were re-arrested, compared to 12% of people who had voted.

Figure 2 - Voter Participation and Arrests, 1997 to 2000¹



¹ Table adapted from Uggen, C. & Manza, J. (2004). “Voting and Subsequent Crime and Arrest: Evidence from a Community Sample,” *Columbia Human Rights Law Review*, Vol. 36, No. 1, p. 193-215.

Voting is an expressive manifestation of an individual's commitment to the institutions of American democracy. The cruel irony of felony disenfranchisement is that the very behavior that society strives to encourage – the commitment to the larger social and political collective – is undermined by a policy that requires people who desire to engage in that behavior to relinquish that right.

Recommendations

Connecticut should take steps to repeal the provision in Conn. Gen. Stat §9-46a(a), which restricts the right to vote for persons on parole. When an individual is released from custody, both the state and the community need to work in concert to ensure that there are mechanisms in place to ease the transition process, while developing strategies that encourage long-term success. While many of these steps are procedural, such as assisting in the location of housing, employment, or vocational training, symbolic efforts such as voting can also contribute to sustainable reductions in recidivism.