

Convicted felons:
should they be
allowed to vote?
essay sample



**ASSIGN
BUSTER**

The term disenfranchisement or taking away a criminals right to vote, has been around since ancient Greece and Rome Eras. In Europe, a condition called “ civil death” involves the forfeiture of property, the loss of the right to appear in court and a prohibition on entering into contracts, as well as loss of voting rights. Convicted felons of any crime should be allowed the chance to show that they can be productive citizens again. Ex-cons are continuously persecuted for a past action and not given the opportunity to prove that a change has occurred. This unfortunate event will result in the same person returning to imprisonment due to lack of control, after being told that he or she no longer holds any civil rights.

“ According to The Sentence Project, 5. 3 million Americans (1 in 40 adults) were unable to vote due to a felony conviction in the 2008 elections. This included 1. 4 million African American men, more than 676, 000 women, and 2. 1 million ex-offenders who have completed their sentences.” No citizen would see it to be rational to penalize felons long after they have left prison or have completed parole or probation. There are many types of laws in place to deny an ex-con to run for office, retain a professional license, such as an attorney, or to serve as a publicly traded ([http://www. nesl. org/legislatures-elections/elections/felon-voting-rights. aspx](http://www.nesl.org/legislatures-elections/elections/felon-voting-rights.aspx))

Coleman Literature Review 3 company. In most states, a convicted felon loses his right to vote while incarcerated. However, 14 states have permanently stripped their ex-cons of all of their civil rights. Few states do not choose to use disenfranchisement as a punishment for a felony crime. There are states that permit prisoners to vote from the jail cell via absentee voting ballot. Unfortunately, the count from those allowed to vote to those <https://assignbuster.com/convicted-felons-should-they-be-allowed-to-vote-essay-sample/>

who are disenfranchised is in the hundreds of thousands and continues to grow rapidly every day. According to Benjamin Jealous of the NAACP, Florida is the number one state of felons suffering from disenfranchisement. In the year of 2007, NAACP President and CEO Benjamin Jealous, kicked off a campaign to help the disenfranchised to become active citizens in their communities again. "What this comes down to really is, do you think voting is a right or is it a privilege? Because if voting is a right, people who have paid their debt to society should be allowed to vote," Jealous said on a Tuesday in March 2007 on "CNN Newsroom." Jealous isn't the only one that has these feelings of unfairness, when it comes to citizenship. This hits home tremendously for the African American communities who suffer from disenfranchisement the most.

There are many activist and supporters who feel that if you are born of the United States of America, then you should be able to regain your civil rights, no matter how many falls into the law that you may have had. This is the "American Dream" to start for the bottom and rebuild yourself up to a person that can be useful in society again. The then Republican, now Democrat Charlie Christ of Florida, signed a reform to allow former felons who have completed their sentences to more easily get their voting rights back. This reform was reversed four years later by Florida's current Governor Rick Scott. When Scott was questioned about his Coleman Literature Review 4 actions, this how he responded "In issuing the new rules for voting rights for ex-felons are intended to emphasize public safety and ensure that all applicants desire clemency, deserve clemency, and demonstrate they are unlikely to reoffend." "It stands to reason that individuals who have

committed serious violence or sexual offenses; abused the privilege of holding public office; endangered society with poisonous drugs; or carried a firearm after they have been convicted should be required to attend a hearing and explain why their rights should be restored," Scott said in a statement in March 2011. Some felons even after release suffered from the aftermath resulting from a previous arrest because they are not sure what rights they do hold after an imprisonment, such as Eric Willem from Roseau County, Minnesota.

Eric Stephen Willem's, who was 25 at the time and had been a convicted felon since the year of 2004. Unfortunately, for Willem's who was voting for the fourth time, it was an additional felony to be voting, according to Roseau County Attorney's Office. This sent Willem back to the place where he did not want to be, jail, for an additional year. Back in 2005, this problem was at the top of the agenda for H. Clinton and J. Kerry who were trying to boost votes for the Democrats. After election defeat in 2005, Democrats mend their ways by emphasizing moral values. Senator Hillary Rodham Clinton and John Kerry introduce the Count Every Vote Act, which she claims is "critical to restoring America's faith in our voting system." Also to be added to the Act, a provision to ensure that voting rights are completely restored to felons who have repaid their debt to society by completing probation, parole or prison terms. Senator Clinton says that there are 4.7 million such disenfranchised felons in 48 states and the District of Columbia.

This power currently lies with the individual states, (<http://www.cnn.com/2012/10/02/politics/ex-felon-votingrights/index.html>) Coleman

Literature Review 5 causing standards to vary. The 14th Amendment to the <https://assignbuster.com/convicted-felons-should-they-be-allowed-to-vote-essay-sample/>

Constitution explicitly allows states to deny felons the right to vote. From past statistics, felons bring an overwhelming vote for Democrats. Is this a sly way for Democrats to change the game and obtain an abundance of votes to carry them to a win for a future election? In past studies by Jeff Monza and Marcus Britton of Northwestern University and Christopher Uggen of University of Minnesota estimated that Bill Clinton pulled 86 percent of the felon vote in 1992 and a whopping 93 percent in 1996. These numbers proved that the felon vote had a huge impact on the result of elections soon to come. Ex-con votes have great impact on the results of an election and could change the voting process forever.

The researchers found that about 30 percent of felons vote when given the chance. So, if all 4.7 million of Mrs. Clinton's ex-cons are re-enfranchised, about 1.4 million will cast ballots, and about 1.2 million of those will be for Democrats. Manza & Co's results indicate that this "felon vote" would have given Democrats the White House in 2000 and control of the Senate from 1986 to 2004, reported by James K. Glassman and John R. Lott with the New York Post, on March 01, 2005. Other politicians disagree with the views associated with ending disenfranchisements for ex-felons because of reasons that I have mentioned previously. The only question that remains is: Can we come together as adults to resolve the issue, so that it is fair to those who have followed the rules after breaking them? What is the right to do? Take a look at the following documents released from the State of Florida and see how the road to restoration of rights for states varies provided by ProCon.org. My current state Florida is listed and has one of the hardest processes in the country to restore one's rights. (www.procon.org)

(<http://www.aei.org/article/society-and-culture/the-felon-vote/>) Coleman Literature Review 6 Here is a copy of the Rick Scott Press Release regarding my topic. FOR IMMEDIATE RELEASE CONTACT: AMY

GRAHAM

MARCH 9, 2011

850-488-5394

Governor Scott and Florida Cabinet Discuss

Amended Rules of Executive Clemency

Tallahassee, Fla. - Governor Rick Scott today convened a special meeting of the Florida Board of Executive Clemency to discuss and vote on amending the rules of clemency for ex-offenders. Governor Scott's Remarks Prepared for Delivery

March 9, 2011

We have Amended Rules of Executive Clemency for our consideration. The proposed changes are intended to emphasize public safety and ensure that all applicants desire clemency, deserve clemency, and demonstrate they are unlikely to reoffend. For Pardons, Firearm Authority, and Commutations: Waiver of the 10-year waiting period for pardon applications and the 8-year waiting period for firearm authority applications will no longer be allowed. In other words, felons will not be permitted to apply for a pardon or firearm rights until they have demonstrated their commitment to abide by the law for the time-period set Coleman Literature Review 7 forth in the rules.

Applicants for Commutation of Sentence will now submit a "Request for Review" instead of a "Request for Waiver," and must complete at least one-third of their sentence or, if serving a minimum mandatory sentence, one-
<https://assignbuster.com/convicted-felons-should-they-be-allowed-to-vote-essay-sample/>

half of their sentence, before being eligible to apply. For Restoration of Civil Rights: Felons seeking restoration of rights will also be required to demonstrate that they desire and deserve clemency by applying only after they have shown they are willing to abide by the law. First, anyone seeking restoration of civil rights must submit an application. Second, The Clemency Board will review each application individually before deciding whether to grant restoration of civil rights. Restoration of civil rights will not be granted “ automatically” for any offenses.

Third, there will be waiting periods before felons are eligible to apply. There will be two categories of applicants: “ With a Hearing” and “ Without a Hearing.” 1. Applicants whose crimes are serious enough to require them to attend a hearing will be eligible to apply after having no new felony convictions for a period of seven years after completion of their sentences. 2. Applicants whose crimes do not require them to attend a hearing will be eligible to apply after they have been crime- and arrest-free for a period of five years after completion of their sentences. If the Board denies restoration of civil rights “ Without a Hearing,” applicants may choose to pursue their rights “ With a Hearing.” Additionally, a number of crimes will be added to the existing list of disqualifying offenses that make an applicant ineligible to receive restoration of civil rights “ Without a Hearing.”

For example, additional sexual crimes –including lewdness and indecent exposure – as well as all drug trafficking and all first- and second-degree drug offenses will disqualify an applicant from restoration of civil rights “ Without a Hearing.” Other examples include possession of a firearm by a Coleman Literature Review 8 felon, RICO, and public corruption crimes. It <https://assignbuster.com/convicted-felons-should-they-be-allowed-to-vote-essay-sample/>

stands to reason that individuals who have committed serious violence or sexual offenses; abused the privilege of holding public office; endangered society with poisonous drugs; or carried a firearm after they have been convicted should be required to attend a hearing and explain why their rights should be restored. The Restoration of Civil Rights can be a significant part of the rehabilitation of criminal offenders and can assist them in reentry into society. It is important that this form of clemency be granted in a deliberate, thoughtful manner that prioritizes public safety and creates incentives to avoid criminal activity.

Online Resource Cite Page

1. <http://www.aei.org/article/society-and-culture/the-felon-vote/>) 2. (<http://www.cnn.com/2012/10/02/politics/ex-felon-voting-rights/index.html>)
3. (<http://www.nesl.org/legistatures-elections/elections/felon-voting-rights.aspx>) 4. (www.procon.org)

Coleman Literature Review 10 Article Reference Page

1. Clemens, E. S. (2007). Locked out: Felon disenfranchisement: Legislation vs. litigation. *Journal of Law and Policy*, 11, 369-801.
2. Dawson-Edwards, C. (2008). Enfranchising convicted felons: Current research on opinions towards felon voting rights. *Journal of Offender Rehabilitation*, 46(3-4), 13-29. doi: 10.1080/10509670802143201
3. Figler, Bailey (2006). A vote for democracy: Confronting the racial aspects of felon disenfranchisement. *New York University Annual Survey of American Law*, 61, 723-865
4. Thomas J. Miles. (2004) Felon disenfranchisement and voter turnout. *The Journal of Legal studies*, 33, 85-517

<https://assignbuster.com/convicted-felons-should-they-be-allowed-to-vote-essay-sample/>