

# [Felons and their right to vote](https://assignbuster.com/felons-and-their-right-to-vote/)

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In a month long undercover investigation, police arrested three men, seized drugs, cash, and weapons. One of the three men who was already a convicted felon was charged with felonydrug and weapons charges which included possession of a firearm. In another case, an individualpleaded guilty of fraud after being accused by a federal grand jury for embezzling money fromhis church for almost a 10-year period. It was reported that the individual was taking moneyfrom the church’s sick and shut-in members and depositing money into his personal account forpersonal use. He was sentenced to 3 years with no parole. Just recently, in 2018, the man onceaffectionately known as “ America’s TV Dad” is now considered a convicted sex offender. Hewas sentenced to total confinement with no less than 3 years and no more than 10 years in stateprison on three counts of indecent assault. There are many more cases similar to those mentionedabove in which ordinary individuals have jeopardized their right to vote after serving theirsentence. While no one is above the law because of where they live, who they are, how muchwealth they have, their fame or their celebrity status; we all make mistakes. Felons were arrested, charged, convicted, sentenced, and served their time. Dr. Martin Luther King, Jr. . , said it best“ Injustice anywhere is a threat to justice everywhere. ”

Although some individuals in societyview felons as being unworthy citizens once crime is committed, in the democratic society felonsought to retain their rights after paying their debt to society for various reasons: changes in thelaw, state laws are not consistent, and to encourage a new movement. First, it is important to define the word felony which is a punishable crime that has asentence lasting more than one year in prison regardless of the person being convicted andserving the actual time or going to prison at all. Also any crime the court considers an act of dishonesty or bad character is a felony. Felony exclusion laws have a long history in the United States in which specific laws limit voting rights for people convicted of certain crimes (Julian30). In fact, twenty-nine states had coded and enacted exclusion laws at the time the UnitedStates Constitution was approved. Taking a criminals voting rights has been around since Ancient Greece and Rome. John Locke, an English philosopher, suggested the idea of “ civildeath” which is the loss of citizen’s privileges through life of imprisonment (Ross 2016). Hisbelief was that those who disobey the social contract should not be included in its benefits andnever allowed to shape laws of society in which they live (Ross 2016). Advocates hold theposition that there is no racial intent; but, a large number of exclusion laws -put in place betweenthe years 1865-1870- were used to handicap specific ethnic groups. Effective strategies includedpoll taxes and literacy test to prevent individuals of color from voting.

For example, the brief butsignificant efforts African-Americans made in society for political and social gains following theCivil War was met with exclusion laws intensifying. The United States criminal justice system isthe largest in the world and an estimated 7 million individuals were under some form ofcorrectional control (“ Correctional Population in the United States” 3). Perhaps, the statisticswould not seem as alarming if there were fewer felons behind bars as well as an equal number ofracial minorities arrested and convicted. To make matters worse, it is reported the United Statesoperates a criminal justice system for the wealthy and a different system for the poor andminorities. As one can imagine, the experiences between the two groups differ tremendously. Since the 19th century, exclusion laws have been challenged in the courts because theUnited States continued to have the highest rate of incarcerating its own citizens. An estimated6. 1 million Americans are not allowed to vote due to laws that restrict voting rights for those convicted of felony-level crimes (Uggen, Larson, Shannon 2016).

For example, as early as 1974, the United States Supreme Court ruled convicted felons voting rights could be withheld and notviolate the 14 th Amendment. The 14 th Amendment address national citizenship and the basicrights of citizens. Voting is considered for some individuals a basic right not a privilege alone. Inthe case of Richardson vs. Ramirez, it is described ex-felons living in three California countieswhose sentences and paroles had expired were denied by county election officials to register tovote. In contrast, within an 11-year period, an African American female who convicted a crime ofissuing a check with no value was told she could not register to vote according to the AlabamaConstitution. The 1985 case of Hunter vs. Underwood guided the Supreme Court in findingfelony exclusion provisions passed with discriminatory intent violated equal protection (Julian30). Continuous efforts to make changes in the law have gone beyond the courts recently and arenow seen in state executive and legislative branches. For example, Second, states have different laws and state differences promote confusion. Considerationof a misdemeanor in one state is a felony in another and requesting information about the statelaw in comparison to the election board’s interpretation results in confusion as to who retains theright to vote. There is no uniform national standard for the same crime committed beingpunished across the states in the same manner to result in voting rights being granted under thesame conditions.

For example, as you can see, the laws surrounding the voting rights issue varyfrom state to state and confusion complicates the topic of felons retaining their voting rights. Lastly, encouraging a new movement is needed for restoring felons right to vote aftersentence completion because there are some individuals who consider voting a privilege not aMonroe-Sanders 4right. Whereas, a recent public opinion poll reported most people in the United States supportrestoration of voting rights to formerly incarcerated people who have served their sentences(Robinson 60). Of those supporters are presidential candidates, ex-felons serving as mentors, andcommunities who want to make an impact. The debate of felon voting rights becomes a hot topicof particular interest during a national election.

To presidential candidates who oppose each otherwill (notecards… view that gives most votes) hoped the candidate seeking to restore voting rightswill be re-elected. Ex-felons recognized they must regain their political power; so, in Texas, theysupport the movement by organizing campaigns, mentoring formerly incarcerated people, andencouraging ex-felons to get to the polls if their state allows. For example, a 55 yeargrandmother of six and former felon in Texas named Ethea Farahkhan registered after beingreleased after 1985 stated, “ I need that for myself. When you vote, you feel a sense ofself-importance and self-esteem” (Robinson 60). She too has campaigned and partnered with anorganization to help other formerly incarcerated people in Texas to register to vote. In conclusion, Felons are already challenged, even when they take full responsibility fortheir actions, to readjust to the world beyond the prison walls.

Then, to exclude felons from thevery process that impacted them and take their power of voice upon release is. Henceforth, efforts to change the law are necessary whether in the courts or within the branches of thegovernment. The most felony excluded states are: Alabama, Virginia, Tennessee, Kentucky, and MississippiResume building, job skills, and becoming more professional at interviewsspiritual care: because every day for a felon maybe a struggle mentally, emotionally, andfinancially, it is helpful when a program includes spiritual care to provide ex-felons with apositive outlook and the needed faith to keep moving forward. Although there is a fine line in determining who deserves the right to vote.