

Felons and their right to vote

[Law](#), [Common Law](#)



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 felony drug and weapons charges which included possession of a firearm. In another case, an individual pleaded guilty of fraud after being accused by a federal grand jury for embezzling money from his church for almost a 10-year period. It was reported that the individual was taking money from the church's sick and shut-in members and depositing money into his personal account for personal use. He was sentenced to 3 years with no parole. Just recently, in 2018, the man once affectionately known as "America's TV Dad" is now considered a convicted sex offender. He was sentenced to total confinement with no less than 3 years and no more than 10 years in state prison on three counts of indecent assault. There are many more cases similar to those mentioned above in which ordinary individuals have jeopardized their right to vote after serving their sentence. While no one is above the law because of where they live, who they are, how much wealth 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 society view felons as being unworthy citizens once crime is committed, in the democratic society felons sought to retain their rights after paying their debt to society for various reasons: changes in the law, 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 a sentence lasting more than one year in prison regardless of the

person being convicted and serving 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 United States Constitution was approved. Taking a criminal's voting rights has been around since Ancient Greece and Rome. John Locke, an English philosopher, suggested the idea of "civil death" which is the loss of citizen's privileges through life of imprisonment (Ross 2016). His belief was that those who disobey the social contract should not be included in its benefits and never allowed to shape laws of society in which they live (Ross 2016). Advocates hold the position that there is no racial intent; but, a large number of exclusion laws -put in place between the years 1865-1870- were used to handicap specific ethnic groups. Effective strategies included poll taxes and literacy test to prevent individuals of color from voting.

For example, the brief but significant efforts African-Americans made in society for political and social gains following the Civil War was met with exclusion laws intensifying. The United States criminal justice system is the largest in the world and an estimated 7 million individuals were under some form of correctional control (" Correctional Population in the United States" 3). Perhaps, the statistics would not seem as alarming if there were fewer felons behind bars as well as an equal number of racial minorities arrested and convicted. To make matters worse, it is reported the United States operates a criminal justice system for the wealthy and a different system for the poor and minorities. 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 the United States continued to have the highest rate of incarcerating its own citizens. An estimated 6.1 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 not violate the 14th Amendment. The 14th Amendment addresses national citizenship and the basic rights of citizens. Voting is considered for some individuals a basic right not a privilege alone. In the case of Richardson vs. Ramirez, it is described ex-felons living in three California counties whose sentences and paroles had expired were denied by county election officials to register to vote. In contrast, within an 11-year period, an African American female who convicted a crime of issuing a check with no value was told she could not register to vote according to the Alabama Constitution. The 1985 case of Hunter vs. Underwood guided the Supreme Court in finding felony exclusion provisions passed with discriminatory intent violated equal protection (Julian 30). Continuous efforts to make changes in the law have gone beyond the courts recently and are now seen in state executive and legislative branches. For example, Second, states have different laws and state differences promote confusion. Consideration of a misdemeanor in one state is a felony in another and requesting information about the state law in comparison to the election board's interpretation results in confusion as to who retains the right to vote. There is no uniform national standard for the

same crime committed being punished across the states in the same manner to result in voting rights being granted under the same conditions.

For example, as you can see, the laws surrounding the voting rights issue vary from 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 after sentence completion because there are some individuals who consider voting a privilege not a Monroe-Sanders right. Whereas, a recent public opinion poll reported most people in the United States support restoration 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, and communities who want to make an impact. The debate of felon voting rights becomes a hot topic of particular interest during a national election.

To presidential candidates who oppose each other will (not cards... view that gives most votes) hoped the candidate seeking to restore voting rights will be re-elected. Ex-felons recognized they must regain their political power; so, in Texas, they support the movement by organizing campaigns, mentoring formerly incarcerated people, and encouraging ex-felons to get to the polls if their state allows. For example, a 55 year grandmother of six and former felon in Texas named Ethea Farahkhan registered after being released after 1985 stated, " I need that for myself. When you vote, you feel a sense of self-importance and self-esteem" (Robinson 60). She too has campaigned and partnered with an organization to help other formerly incarcerated people in Texas to register to vote. In conclusion, Felons are already challenged, even

when they take full responsibility for their actions, to readjust to the world beyond the prison walls.

Then, to exclude felons from the very 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 the government. The most felony excluded states are: Alabama, Virginia, Tennessee, Kentucky, and Mississippi. Resume building, job skills, and becoming more professional at interviews. spiritual care: because every day for a felon maybe a struggle mentally, emotionally, and financially, it is helpful when a program includes spiritual care to provide ex-felons with a positive outlook and the needed faith to keep moving forward. Although there is a fine line in determining who deserves the right to vote.