

**MYTH:** An individual with a felony conviction can never vote.

**FACT:** Almost all states restrict voting rights for a period of time, but every state has a restoration process to regain voting rights. Generally, it is not a matter of whether one can vote, but how and when one can vote.

Almost all states restrict the voting rights of persons with felony convictions. The cumulative effect of such laws is that an estimated 6.1 million voting age adults, including one in 13 African American adults, are unable to vote due to a felony conviction.<sup>1</sup> Such disenfranchisement need not necessarily be permanent, however. It is a common misconception that all states permanently disenfranchise a person on the basis of a felony conviction. In fact, every state is different with respect to disenfranchisement and restoring one's right to vote.

While most states do take away a citizen's right to vote for at least some criminal convictions, most states automatically restore that right once a person is no longer incarcerated or once they complete probation or parole. Thus, in the real sense, most people have their voting rights suspended, not terminated. A person whose voting rights have been restored will often have to re-register to vote before voting a valid ballot. [Vote.gov](http://www.vote.gov) has more information on how to register.

Below is a snapshot of state policies based on a felony conviction:

- In two states, ME and VT, people with criminal convictions are not disenfranchised. Individuals may vote even while incarcerated.
- 14 states (plus the District of Columbia) suspend a citizen's right to vote only while incarcerated. Those states are DC, HI, IL, IN, MA, MD, MI, MT, NH, ND, OH, OR, PA, RI, and UT.
- 4 states suspend a citizen's right to vote during incarceration and parole. Those states are CA, CO, CT, and NY.
- 18 states suspend the right to vote during incarceration, parole, and probation. Those states are AK, AR, GA, ID, KS, LA, MN, MO, NJ, NM, NC, OK, SC, SD, TX, WA, WV, and WI.

- 12 states suspend a citizen's right to vote during incarceration, parole, and probation and frequently have additional requirements, such as an additional waiting period. In some of these states, re-enfranchisement may require executive action. Those states are AL, AZ, DE, FL, IA, KY, MS, NE, NV, TN, VA, and WY.

#### For More Information:

##### National Conference of State Legislatures

<http://www.ncsl.org/research/elections-and-campaigns/felon-voting-rights.aspx>

##### The Sentencing Project

<http://www.sentencingproject.org/issues/felony-disenfranchisement/>

### What is a REENTRY MYTH BUSTER?

This Myth Buster is one in a series of fact sheets intended to clarify existing federal policies that affect formerly incarcerated individuals and their families. Each year, more than 600,000 individuals are released from state and federal prisons. Another 11.4 million cycle through local jails. When reentry fails, the social and economic costs are high -- more crime, more victims, more family distress, and more pressure on already-strained state and municipal budgets.

Because reentry intersects with health and housing, education and employment, family, faith, and community well-being, many federal agencies are focusing on initiatives for the reentry population. Under the auspices of the Cabinet-level interagency Reentry Council, federal agencies are working together to enhance community safety and well-being, assist those returning from prison and jail in becoming productive citizens, and save taxpayer dollars by lowering the direct and collateral costs of incarceration.

For more information about the Reentry Council, go to:

<https://csgjusticecenter.org/nrrc/projects/firc/>

<sup>1</sup> Uggen, C., Larson, R., and Shannon, S. (2016). 6 Million Lost Voters: State-Level Estimates of Felony Disenfranchisement, 2016, *The Sentencing Project*. Retrieved from <http://www.sentencingproject.org/wp-content/uploads/2016/10/6-Million-Lost-Voters.pdf>