



# Felony Disfranchisement in Wisconsin

Felony disfranchisement is a policy that bars citizens from the ballot box upon conviction of a felony. In the United States, over 5.3 million Americans cannot vote due to a felony conviction. Felony disfranchisement laws vary from state to state, but 48 states bar incarcerated individuals from casting a ballot, with only Maine and Vermont allowing inmates to vote. Ten states permanently ban certain individuals with a felony conviction from voting and two states bar all persons with felony convictions from voting.

The vast majority of disfranchised individuals are no longer incarcerated, but are living in their communities on probation or parole and 2.1 million of the disfranchised population have fully completed their sentences. These individuals are tax-paying citizens, involved with the issues in their community, but unable to vote to affect them.

The impact of felony disfranchisement falls disproportionately upon communities of color. Nearly 1.5 million African-American men, or 13%, are disfranchised due to felony convictions, a rate that is seven times the national average of one out of 41 adults. If incarceration rates hold steady, three in ten of the next generation of black men can expect to be disfranchised at some point in their lives.

However, over the last decade the national trend has been toward lowering barriers for the disfranchised. Since 1997, 16 states have made progressive changes to their felony disfranchisement laws, enfranchising over 700,000 formerly incarcerated individuals.

In a democracy voting is a right, not a privilege. But for over 5 million Americans, that is not the case. We are aiming to change that in Wisconsin.

- More than 62,000 Wisconsin residents are disfranchised.
- The majority of Wisconsin's disfranchised population is not in prison or jail, but lives in Wisconsin's communities.
- One out of nine African-American voters in Wisconsin is disfranchised, compared to one out of 50 Wisconsin voters.
- Wisconsin has more restrictive felony disfranchisement laws than 20 other states, including Michigan, Illinois, Indiana and Ohio.

## Wisconsin Disfranchisement Policy

In Wisconsin, individuals with felony convictions are barred from voting until full completion of their sentences – incarceration or probation and any period of parole and/or extended supervision. Individuals must register to vote upon completion of sentence.

### Who is disfranchised regionally?

Wisconsin's felony disfranchisement laws are more restrictive than four neighboring states. Michigan, Illinois, Indiana and Ohio all automatically restore voting rights upon release from incarceration. Two other neighbors, Minnesota and Iowa, however, restore voting rights upon completion of sentence. Iowa's current policy, adopted July 4, 2005, by then Governor Tom Vilsack, enfranchised approximately 80,000 Iowans who had until then been permanently barred from voting.

### Who is disfranchised in Wisconsin?

An estimated 62,342 people with felony convictions are barred from voting in Wisconsin. Only 39% of the disfranchised are in prison while

40% are on probation and 21% are on parole. Like many of us, probationers and parolees live in their communities and work, pay taxes and raise families.

### Racial Impact

One out of nine African-American voters is disfranchised in Wisconsin, compared to one out of 50 Wisconsin voters. As a result, Wisconsin has the 11th highest rate of African-American disfranchisement in the United States. African Americans comprise 39% of the disfranchised population, even though they comprise only 5% of the states voting age population.

### Voting & Public Safety

Felony disfranchisement runs counter to the goal of public safety. Restricting voting rights does not prevent crime, nor does it provide compensation to victims. In fact, disfranchising persons after release from prison is antithetical to the reentry process and harmful to long-term prospects for sustainable reintegration of ex-offenders into society. Research has found a link between voting participation and re-offense; people who voted after release from supervision were half as likely to be re-arrested as those who did not vote. 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.

Far from making streets safer, felony disfranchisement may be detrimental to public safety. Voting demonstrates an individual's commitment to the institutions of American democracy. The irony of felony disfranchisement 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 the right to vote.

### How can I help in Wisconsin?

**Join the state-wide coalition** working to repeal Wisconsin's law. To contact the coalition, email [liberty@aclu-wi.org](mailto:liberty@aclu-wi.org)

**Call your legislator** and tell them you support the legislation that has been introduced in the Wisconsin legislature to restore voting rights upon release from incarceration.

**Visit [democracysghosts.com](http://democracysghosts.com) and [aclu-wi.org](http://aclu-wi.org)** to learn more about the issue and watch a film on felon disfranchisement. Show the film to your friends and neighbors!