

# Felon Disenfranchisement: Jim Crow Redux

- Percent of all voting age Americans in 2000 disenfranchised by reason of a felony conviction<sup>1</sup>: **2.3%**

## Disenfranchisement impacts African-American men most heavily

- Number of states in 2000 that disenfranchised more than 10% of their African-American population<sup>2</sup>: **16**
- Percent of African-American men of voting age who were in prison in 2000 and barred by state law from voting<sup>3</sup>: **5%**
- Percent of African-American men in 2000 who were disenfranchised by various state laws that prohibit people with current *or past* felony convictions from voting<sup>4</sup>: **13.1%**

## Methods of disenfranchisement vary between states

- Number of states that deny the vote, for life, to all people with felony convictions even if they have completed their sentences<sup>5</sup>: **3**
- Number of states that deny the vote to some or all of their citizens who have completed their sentences<sup>6</sup>: **9**
- Number of states that disenfranchise prisoners convicted of a felony<sup>7</sup>: **48**
- Number of states that disenfranchise felony probationers<sup>8</sup>: **31**
- Number of states that disenfranchise people on parole<sup>9</sup>: **36**

## History

- Year the Civil War ends, and the states of the former Confederacy put under military rule<sup>10</sup>: **1865**
- Number of African-Americans elected to state legislatures in states of the former Confederacy, 1872<sup>11</sup>: **324**
- Year federal troops left the South and Reconstruction ends<sup>12</sup>: **1877**
- Year Mississippi passes state constitution disenfranchising citizens convicted of crimes thought more likely to be committed by African-Americans<sup>13</sup>: **1890**
- Number of African-Americans elected to state legislatures in states of the former Confederacy, 1900<sup>14</sup>: **0**
- Year a federal court ruled that felon disenfranchisement does not bear “the taint of historically-rooted racial discrimination”<sup>15</sup>: **1985**

## The "modern" era

- In the year 2000, percent of voting age population that is African-American<sup>16</sup>: **11.4%**
- In the year 2000, percent of state legislators that are African-American<sup>17</sup>: **7.7%**

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<sup>1</sup> *Uggen and Manza, Democratic Contraction?* American Sociological Review, Dec. 2002, Vol 67, Appendix Table A.

<sup>2</sup> (Alabama, Arizona, Delaware, Florida, Georgia, Iowa, Kentucky, Mississippi, Nebraska, Nevada, New Mexico, Rhode Island, Virginia, Washington, Wisconsin, and Wyoming.) See *Ibid.*, p. 798. (Some states have since changed their laws, but updated figures are not yet available.)

<sup>3</sup> Calculation based on U.S. Census and Bureau of Justice Statistics data.

<sup>4</sup> Sentencing Project & Human Rights Watch, *Losing the Vote*, October 1998, p. 9

<sup>5</sup> (Florida, Kentucky and Virginia) Sentencing Project, *Felony Disenfranchisement Laws in the United States*, November 2005, <http://www.sentencingproject.org/pdfs/1046.pdf>

<sup>6</sup> (Alabama, Arizona, Delaware, Maryland, Mississippi, Nebraska, Nevada, Tennessee, Wyoming) *Ibid.*

<sup>7</sup> (All states and the District of Columbia except for Maine and Vermont) *Ibid.*

<sup>8</sup> *Ibid.*

<sup>9</sup> *Ibid.*

<sup>10</sup> World Book Encyclopedia, 2001 Mac OSX edition.

<sup>11</sup> Andrew L. Shapiro, *Challenging Criminal Disenfranchisement Under the Voting Rights Act: A New Strategy* 103 *Yale L. J.* 537, 540-541, n.

<sup>12</sup> *Ibid.*, 538

<sup>13</sup> World Book Encyclopedia, 2001 Mac OSX edition.

<sup>14</sup> Shapiro, p. 540-541, n. 19-20.

<sup>15</sup> *Wesley v. Collins*, 605 F. Supp. 802 (M.D. Tenn. 1985)

<sup>16</sup> Joint Center for Political and Economic Studies, *Black Elected Officials: A Statistical Summary 2000*, Table 6.

<sup>17</sup> Calculation based on, *Ibid.*, Table 6.