

## Felons Should Have the Right to Vote

Felons should have the right to vote restored to them. Voting is a civil right, and not being able to exercise that right leads to a sense of alienation from one's community and life. Additionally, people of color disproportionately become felons in the first place. Minnesota has a high frequency of long duration probation sentences, so in effect the law is a form of racial discrimination, as well. HF40, a bill proposed last year, would be an opportunity to change that.

As referenced in the stated goal of HF40, a Minnesota bill that would allow felons to vote after being released from prison, voting is a civil right (Dehn et al.). In Minnesota, it is a right that ex-felons who have served their sentences, but not finished probation, cannot currently exercise. Minnesota has "some of the longest probation terms...[as well as the] fifth-highest probation rate" in the United States, and in practice this means that being unable to vote while on probation means not having a voice in matters that affect one's own life (Gordon).

Matters of civil rights being denied can use moralistic arguments, which Gordon certainly uses powerfully in his article on restoring the vote. However, it is worth looking at the rhetoric of the anti-legislation side, which does not frame voting as a right, but rather as a "reward," intended only for "law-abiding citizens" (Cilek and Pugh). This is neither true nor helpful. From a purely factual side, research into allowing felons to vote has shown that it means they are less likely to commit the same crime again, which Cilek and Pugh expressed concerns about (Gordon). Additionally, people on probation have civil rights, such as the right to privacy and an expanded freedom of movement, that people in prisons inherently do not ("Adult Probation"). It makes logical sense that they should have voting among their limited civil rights as well, because it is unable to be used by an individual in a violent way.

There is a further human cost to denying people the right to vote even after being reintegrated into their communities, for both ex-felons and those around them. For ex-felons, it is a denial of having a say in one's own life, and for the community around them, there is an increased risk of recidivism (Gordon). Gordon cites the example of "a woman who is on probation for 40 years...She desperately wants to vote, but won't be allowed to do so until she is 71." This intentional distancing from local life does not only affect those 53,000 who are themselves unable to vote (Gordon). Opponents to HF40 do not view ex-felons as members of their communities, but rather use othering, them-versus-us language that suggests that allowing felons to vote would endanger the sanctity of elections, and position voting as a reward one earns through obeying the law and contributing to the community. Their claim that restoring voting rights would "reward habitual criminal offenders...before they have shown they can live in the community" is quite interesting in light of the fact that 75% of formerly-imprisoned Minnesotans successfully do live and work in their communities already (Cilek and Pugh; "The Problem").

The right to vote does not only include national elections. There is an interesting parallel to be drawn with the issue of non-citizen local voting, whose supporters argue that "residents of cities and towns should have a say in how their government operates" (Haltiwanger). Both felons and non-citizens in Minnesota do not have a say in how much funding their child's school should get, who should sit on the school board, and those who own small businesses cannot participate in city elections, which are all issues that directly affect their own lives, unlike the sometimes distant effects of a presidential election ("Who Can Vote?", Gordon).

The 15th amendment was passed in 1791 and gave black men the right to vote. However, this right was often not able to be exercised in the centuries that followed, as other barriers were

put in place. These included literacy tests that asked impossible questions such as, “How many bubbles [are] in a bar of soap?” which would need to be answered correctly before someone was able to vote (“Civil Rights Proposals” 104). In Alabama, it was outright admitted that, regarding literacy tests “both its object and its intended administration were to disenfranchise black citizens” (“Literacy Tests”). Another barrier was the poll tax, which was “essentially a voting fee” (“Poll Taxes”). The Voting Rights Acts of 1965 put a stop to these discriminatory practices, but they show the long history of voter suppression aimed at people of color (“Voting Rights Act (1965)”).

On one hand, felons are not considered a blameless or natural population, as they are not felons from birth and anyone can become one. They have deliberately harmed others and are being punished by the judicial system for it, and the removal of voting rights is a part of that punishment. On the other hand, in Minnesota, African-Americans make up over 25% of people in prison while only being 5% of the general population (“The Problem”). This means that 8% of the African-American community who would otherwise be able to vote are not able to do so in Minnesota, although this discrepancy is even worse in other states, such as Florida, wherein 20% of the African-American population was unable to vote (“The Problem,” Mak). It is worth noting that children of parents who do not vote are less likely to vote themselves, meaning that this is a problem that will worsen over subsequent generations (“The Problem”). While prisons were not set up as a racially-motivated voter suppression system, the data shows that it is functioning as one.

The probation system is a flawed one, and the lack of voting rights exacerbates those flaws. Not having the civil right to vote has both immediate and long term effects: felons are

more likely to reoffend and their children are less likely to vote. The whole community loses out on valuable contributions when it engages in us-versus-them thinking and perpetuates the legacies of segregation. HF40 is an opportunity to reform this part of the prison system, and lessen the rate of felonies being committed while allowing people to freely participate in their communities.

[1046 words]

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