

Battlegrounds Va., Fla. lead in ex-felons who cannot vote

BY FRANK GREEN

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Presidential battleground states Florida and Virginia lead the nation with the most ex-felons who are not allowed to vote.

A recent study by the Sentencing Project, a research and advocacy group, shows an estimated three out of four of the nation's 2.6 million ex-felons live in the two states. Florida leads the nation with 1.54 million, and Virginia is second with 351,942. Ex-felons are described as those who have completed their prison sentences, parole and probation terms, but cannot vote.

"That's an awful lot of potential votes," said Larry Sabato, a political analyst at the University of Virginia. "Most people will be stunned to learn the total is so high."

But without knowing how the disenfranchised would vote or what percentage, if given the right, would cast ballots, the impact on the election is uncertain, he said.

"My guess is that the turnout would be well below average, but no one can be sure," said Sabato. "In any event, some elections are close and even a few hundred votes can make the difference."

The states have been hotly contested and the site of numerous visits by

the candidates, running mates and spouses.

"It is doubly unfair that the states with the most power to determine the next president of the United States are the least willing to let their own citizens share in that power," said Peter Wagner, executive director of the Prison Policy Initiative.

The group is a Massachusetts-based think tank that focuses on how the criminal justice system influences apportionment and the electoral process.

The July report by the Sentencing Project estimated that in 2010, one in every 40 adults in the U.S. — including one in every 13 African-Americans of voting age — were dis-

enfranchised because of felony records.

Virginia's estimated felony disenfranchisement rate of 7.34 percent was exceeded only by Florida, at 10.42 percent; Mississippi at 8.27 percent; and Kentucky at 7.35.

In Virginia in 2010, one in five adult African-Americans was without voting rights, the third-highest rate in the U.S. behind only Florida, at 23 percent, and Kentucky, at 22 percent.

The study was conducted by researchers at the University of Minnesota and New York University for the Sentencing Project, a Washington-based research and advocacy group.

Virginia is one of 11 states that do not automatically restore rights at some point to felons. And Virginia is one of just two states where only the governor can restore voting rights. Gov. Bob McDonnell has streamlined the procedure for winning back voting rights and as of last month had restored them to 4,150 people.

Petitions to the governor are handled by the secretary of the commonwealth according to the order in which completed applications are received.

According to the Sentencing Project, several states in recent years have loosened disenfranchisement policies. Since 2004, two states, Washington

and Maryland, eliminated disenfranchisement after completion of sentences.

In Virginia, the American Civil Liberties Union and others have unsuccessfully pushed for automatic restoration after felons complete their sentences. Bills introduced in the General Assembly to provide for automatic rights restoration have failed. The issue is expected to come up again this year.

A suit challenging felony disenfranchisement filed by Sa'ad El-Amin, an ex-felon and former Richmond City councilman, is pending in federal court in Richmond.

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