

## FELONY DISENFRANCHISEMENT RATES FOR WOMEN

The United States stands alone on the global stage in terms of the scope and restrictiveness of its felony disenfranchisement laws. In 48 states and the District of Columbia, persons who are incarcerated for a felony offense are not eligible to vote while in prison. In 35 of these states, persons on probation and/or parole for a felony conviction are also ineligible to vote, and in 10 of these states a felony conviction can result in the loss of voting rights for life.<sup>1</sup> As of yearend 2004, nearly 5.3 million Americans were unable to vote as a result of a current or prior felony conviction. African Americans, who are disproportionately represented at each stage of the criminal justice system, from arrest and conviction through sentencing and incarceration, have acutely experienced the impact of this policy. This results in a dilution of the political voice of many communities of color and further alienates neighborhoods with high-density incarceration and correctional supervision, thereby exacerbating pre-existing inequalities.

Because the majority of persons under correctional supervision are male – 93% of persons in prison, 77% of persons on probation, and 88% of persons on parole – much of the attention given to felony disenfranchisement policy has focused upon its impact on males. While the effect of this policy among African American males has been widely documented – in some states one in four black males is denied the right to vote due to a felony conviction – less is known about the impact on women, particularly women of color. In an effort to provide a greater understanding of the wide-ranging impact of felony disenfranchisement policy, this briefing paper analyzes existing data to construct estimates of felony disenfranchisement rates for women.

Key findings of this analysis are the following:

- At yearend 2004, there were an estimated 792,200 women ineligible to vote as a result of felony disenfranchisement laws. This figure represents 0.71% of the female voting age population, or 1 in 141 women. Note that this study only analyzes national data and the rate of disenfranchisement in states with the most restrictive laws will be considerably higher than this average.
- The number of disenfranchised women has increased by 17% since 2000, when an estimated 676,700 women were disenfranchised.
- Given the disproportionate rate at which African American women are under supervision in the criminal justice system, their rate of disenfranchisement is considerably higher than for non-African American women. An estimated 279,800 African American women – 1 in 50 – cannot vote, an increase of nearly 14% since 2000. This rate of disenfranchisement is nearly four times the rate for non-African American women.<sup>2</sup>

<sup>1</sup> For more information, see *Felony Disenfranchisement Laws In The United States*, The Sentencing Project, April 2007.

<sup>2</sup> Because of inadequate data on corrections populations nationally, we are unable to provide estimates of disenfranchisement rates for Latinas or other racial/ethnic groups.

### Female Felony Disenfranchisement (2000)

Category	Total Population Disenfranchised	Female Population	African-American Female Population	Non African-American Female Population
<i>Prison</i>	1,209,243	79,810	41,743	38,067
<i>Probation</i>	1,320,684	290,550	95,308	195,243
<i>Parole</i>	444,405	53,329	23,916	29,412
<i>Jail</i>	57,710	6,521	2,962	3,559
<i>Ex-Felon</i>	1,654,497	246,520	81,996	164,524
<b>Total</b>	<b>4,686,539</b>	<b>676,730</b>	<b>245,925</b>	<b>430,805</b>
<i>Total US Voting Age Population</i>	205,814,000	105,523,000	13,091,000	92,432,000
<b>Disenfranchisement %</b>	<b>2.28</b>	<b>0.64</b>	<b>1.88</b>	<b>0.47</b>

### Female Felony Disenfranchisement (2004)

Category	Total Population Disenfranchised	Female Population	African-American Female Population	Non African-American Female Population
<i>Prison</i>	1,322,064	92,544	47,112	45,432
<i>Probation</i>	1,344,883	309,323	103,074	206,250
<i>Parole</i>	477,704	57,324	26,319	31,005
<i>Jail</i>	62,878	7,734	3,430	4,304
<i>Ex-Felon</i>	2,058,678	325,271	99,840	225,431
<b>Total</b>	<b>5,266,207</b>	<b>792,197</b>	<b>279,775</b>	<b>512,422</b>
<i>Total US Voting Age Population</i>	217,766,271	111,882,000	13,838,000	98,044,000
<b>Disenfranchisement %</b>	<b>2.42</b>	<b>0.71</b>	<b>2.02</b>	<b>0.52</b>

While men represent the overwhelming majority of persons in the criminal justice system, the number and proportion of women in the system has been increasing at nearly double the rate of men since 1985. The number of women in jail and on probation or parole also continues to grow at an increasing rate, with more than one million women now under correctional supervision. If these trends continue, the impact of disenfranchisement will play an increasingly significant role in women's political participation in coming years.

Methodology: Our analysis begins with the national level data on disenfranchisement as developed by Christopher Uggen and Jeff Manza, broken down by categories of criminal justice supervision.<sup>3</sup> Within each category, we apply data for the respective year from the Bureau of Justice Statistics on the proportion of women within that corrections population group in order to estimate the number of women affected by disenfranchisement policies. In 2000, these proportions were: prison – 6.6%; probation – 22%; parole – 12%; and jail – 11.3%. In 2004, these proportions were: prison – 7%; probation – 23%; parole – 12%; and jail – 12.3%. Among persons in jail, only those serving a sentence for a felony conviction are disenfranchised. To estimate the number of disenfranchised women who had completed a sentence in 2000, we used a figure of 14.9% as an estimate for the women’s proportion of all felony convictions. This figure represents an average of rates taken from BJS reports on felony sentencing for the years 1988-2000. In 2004, we used the average percentage of felony convictions comprised of women for the years 1992-2002, resulting in 15.8% as an estimate for the proportion of disenfranchised women who have completed sentence. To estimate the numbers of African American women among the population of disenfranchised women, we apply the BJS rates for women in each category to the total numbers for African Americans as developed by Uggen and Manza. Since there is no breakdown of correctional populations by race and gender combined, we use the overall distribution proportions for women in this regard. To calculate disenfranchisement rates, we use Census Bureau population estimates for each respective year. For these various reasons, these overall rates should be treated as estimates of the disenfranchised population.

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<sup>3</sup> Estimates for 2000 from Christopher Uggen and Jeff Manza, “Democratic Contraction? Political Consequences of Felon Disenfranchisement in the United States,” *American Sociological Review*, 2002, Vol. 67; estimates for 2004 from Jeff Manza and Christopher Uggen, *Locked Out: Felon Disenfranchisement and American Democracy*, Oxford University Press, 2006.