

Connecticut Bars Over 6,000 Citizens from Voting

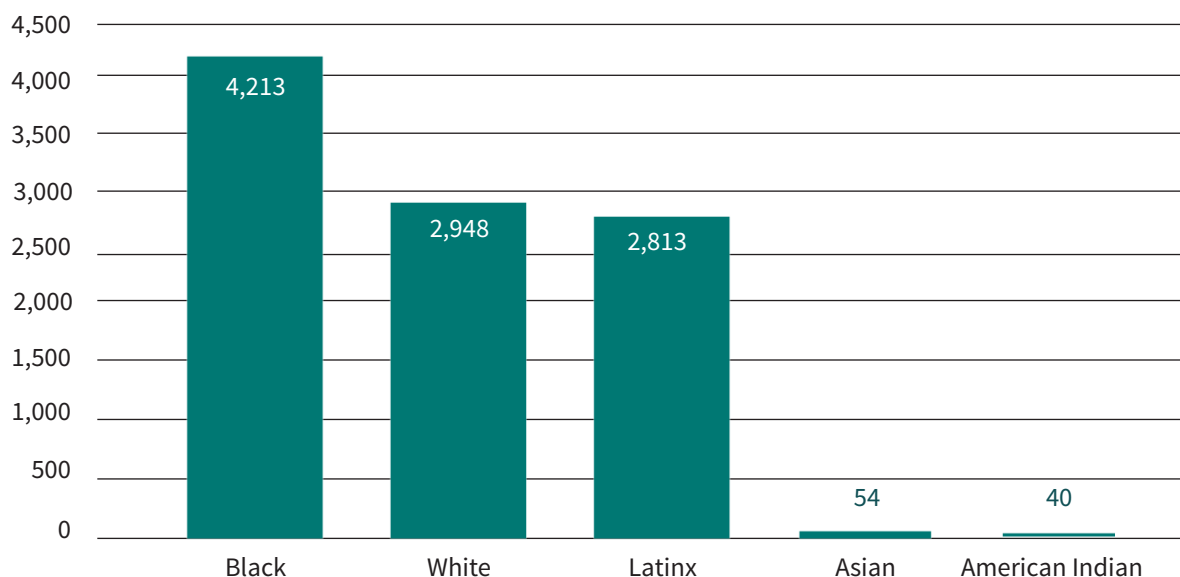
Connecticut still denies the right to vote to 6,892 people even after state lawmakers restored voting rights for people on parole in 2021.¹ Almost 44% of Connecticut residents disenfranchised due to felony convictions are Black and 28% are Latinx.² While Connecticut incarcerates 2,000 fewer people than at the start of the COVID-19 pandemic, the disproportionate incarceration of people of color persists.³ To ameliorate this racial injustice and protect its democratic values, Connecticut lawmakers should follow the lead of Maine, Vermont, Puerto Rico, and Washington, D.C. and extend voting rights to all citizens with felony convictions, regardless of their current incarceration status.

Racial Injustice Causes Disparities in Disenfranchisement

People of color are disproportionately disenfranchised in Connecticut because they are overrepresented in its criminal legal system. While Black Connecticut residents make up only 13% of Connecticut's population, they represent 42% of the state's incarcerated population.⁴ Latinx people represent 18% of Connecticut's population, and over one quarter (28%) of the state's incarcerated population.⁵ Connecticut is one of seven states where the incarceration rate of Black adults is more than nine times that of white adults.⁶ Connecticut also has the third highest incarceration rate for Latinx adults in the country.⁷

Racial bias and discrimination in the justice system lock people of color out of the democratic process. According to the ACLU of Connecticut, racial bias in the state's police system contributes to drivers of color being disproportionately stopped and searched.⁸ In 2019, the Connecticut Supreme Court—acknowledging systemic racial bias in jury selection—created a Jury Selection Task Force to study the issue and draft recommendations.⁹ Racial bias and discrimination in the judicial system can impact court outcomes. In Connecticut, Black and Latinx individuals are convicted at higher rates (46% and 42% respectively) than white individuals (37%).¹⁰

Connecticut Incarcerated Population by Race & Ethnicity, 2022



Promote Voting Rights for All Connecticut Residents

Prior to the 2021 legislation re-enfranchising people on parole, Connecticut's felony disenfranchisement law and policy was the most regressive in the Northeast.¹¹ While Connecticut has made progress towards addressing the legacy of Jim-Crow-era disenfranchisement laws, it was one of the last states in the Northeast to re-enfranchise people on parole.¹²

The right to vote in prison is recognized as an essential democratic practice both inside and out of the United States. In Maine and Vermont, people convicted of felonies never lose their right to vote. In both states, people in prisons can register (and remain registered) at their pre-incarceration address, and can request absentee ballots by mail.¹³ There is no organized opposition to felony enfranchisement in either state.¹⁴ In 2005, the European Court of Human rights determined that bans on voting in prison violate the European Convention on Human Rights; nearly half of European countries allow incarcerated people to vote.¹⁵ Canada, Israel, and South Africa have also ruled conviction-based voting rights restriction unconstitutional.¹⁶

Supporting Voting Rights Improves Public Safety

Research shows that an opportunity to participate in democracy has the potential to reduce one's perceived status as an "outsider."¹⁷ The act of voting can have a meaningful and sustaining positive influence on justice-impacted citizens by making them feel they belong to a community.¹⁸ Having a say and a stake in the life and well-being of your community is at the heart of our democracy.

Re-enfranchisement can facilitate successful re-entry and reduce recidivism. The University of Minnesota's Christopher Uggen and New York University's Jeff Manza find that among people with a prior arrest, there are "consistent differences between voters and non-voters in rates of subsequent arrest, incarceration, and self-reported criminal behavior."¹⁹ Research also suggests having the right to vote immediately after incarceration matters for public safety. Individuals in states which continued to restrict the right to vote after incarceration

were found to have a higher likelihood of experiencing a subsequent arrest compared to individuals in states who had their voting rights restored post-incarceration.²⁰ Given re-enfranchisement misinformation and obstacles facing justice-impacted citizens upon re-entry into our communities, one path to bolster public safety and promote prosocial identities is to preserve voting rights during incarceration.

Allowing people to vote, including persons completing felony sentences in prisons and jails, prepares them for more successful reentry and bolsters a civic identity. By ending disenfranchisement as a consequence of incarceration, Connecticut can improve public safety while also promoting reintegrative prosocial behaviors.

Connecticut Can Preserve its Democracy by Restoring the Right to Vote

Excluding an entire population of people from exercising their right to vote undermines democracy. Felony disenfranchisement creates a disconnect between lawmakers and the people they are meant to represent. Advocates of universal voting rights argue that differentiating between people based on whether or not they are imprisoned is a reflection of racial and class divides, rather than a matter of public safety: in many cases, the ability to afford quality legal representation can mean the difference between a sentence of probation and prison.²¹ The importance of enfranchisement for people in prisons goes beyond participation in state and federal elections. For example, parents should be able to vote in their child's school board elections, even while incarcerated.²² The goal is an engaged citizenry, regardless of where they reside.

Connecticut should join Maine, Vermont, Puerto Rico, and Washington, D.C. in ensuring all of their citizens can participate in our democratic process. Connecticut should advance racial justice by re-enfranchising its entire voting age population.

ENDNOTES

- ¹ Uggen, C., Larson, R., Shannon, S., & Stewart, R. (2022). *Locked out 2022: Estimates of people denied voting rights due to a felony conviction*. The Sentencing Project. An alternative method, relying in part on data from the Arthur Liman Center for Public Interest Law at Yale Law School, results in a similar estimate. In October 2022, Connecticut incarcerated 10,066 people. Of that figure, 6,141 were sentenced. If the percentage of persons sentenced for felonies is consistent with the 2020 figures, then 6,051 persons were incarcerated due to a felony conviction. Connecticut Department of Corrections. (2022, October 1). *Average confined inmate population and legal status* <https://portal.ct.gov/-/media/DOC/Pdf/MonthlyStat/Stat11012022.pdf>
- ² Uggen et al. (2022), see note 1.
- ³ Connecticut Department of Corrections. (2020, January 1). *Average confined inmate population and legal status*. <https://portal.ct.gov/-/media/DOC/Pdf/MonthlyStat/Stat02012020.pdf>; Connecticut Department of Corrections (2022, October 1), see note 1. *Average confined inmate population and legal status* <https://portal.ct.gov/-/media/DOC/Pdf/MonthlyStat/Stat11012022.pdf>; Fenster, J. (2020, Oct 16). Racial disparities persist in CT prisons, even as the population dropped. *Connecticut Post*. <https://www.ctpost.com/local/article/Racial-disparities-persist-in-CT-prisons-even-as-15651213.php>.
- ⁴ United States Census Bureau (2020). *Quick Facts: Connecticut*. <https://www.census.gov/quickfacts/CT>; Connecticut Department of Corrections (2022), see note 1.
- ⁵ United States Census Bureau. (2020), see note 4; Department of Corrections (2022), see note 3.
- ⁶ Nellis, A. (2021). *The color of justice: Racial and ethnic disparity in state prisons*. The Sentencing Project.
- ⁷ Nellis (2021), see note 6.
- ⁸ ACLU Connecticut. (2021). *Smart Justice*. <https://www.acluct.org/en/issues/smart-justice>. <https://www.acluct.org/en/issues/smart-justice>
- ⁹ *State of Connecticut v. Evan Jaron Holmes*, SC 20048 (2019). <https://www.jud.ct.gov/external/supapp/Cases/AROCr/CR334/334CR65.pdf>
- ¹⁰ Criminal Justice Policy Advisory Commission. (2019). Criminal cases disposed in CT courts, 2019. *State of Connecticut Division of Criminal Justice*. <https://ctnewsjunkie.com/wp-content/uploads/2021/10/DCJ-CJPAC-Presentation-September-20211.pdf>
- ¹¹ Baum, S. (2021). Voting rights restoration efforts in Connecticut. *Brennan Center for Justice*. www.brennancenter.org/our-work/research-reports/voting-rights-restoration-efforts-connecticut
- ¹² Uggen et al. (2022), see note 1. Delaware continues to disenfranchise people on parole.
- ¹³ White, A., & Nguyen, A. (2020). Locking up the vote? Evidence from Maine and Vermont on voting from prison. *Massachusetts Institute of Technology*. https://arwhite.mit.edu/sites/default/files/images/VTprison_researchnote_RR_forwebmarch2020.pdf
- ¹⁴ Lewis, N. (2019, June 11). In just two states, all prisoners can vote. Here's why few do. *The Marshall Project*. <https://www.themarshallproject.org/2019/06/11/in-just-two-states-all-prisoners-can-vote-here-s-why-few-do>
- ¹⁵ Chung, J. (2021). *Voting Rights in the era of mass incarceration: A primer*. The Sentencing Project.
- ¹⁶ Chung (2021), see note 15.
- ¹⁷ Uggen, C., & Manza, J. (2004). Voting and subsequent crime and arrest: Evidence from a community sample. *Columbia Human Rights Law Review*, 36(1), 193-216.; Aviram, H., Bragg, A., & Lewis, C. (2017). Felon Disenfranchisement. *Annual Review of Law and Social Science*, 13, 295-311. <https://doi.org/10.1146/annurev-lawsocsci-110316-113558>; Miller, B. L., & Agnich, L. E. (2016). Unpaid debt to society: Exploring how ex-felons view restrictions on voting rights after the completion of their sentence. *Contemporary Justice Review*, 19(1), 69-85. <https://doi.org/10.1080/10282580.2015.1101685>
- ¹⁸ Uggen et al. (2022), see note 1.
- ¹⁹ Uggen & Manza (2004), see note 17.
- ²⁰ Hamilton-Smith, G. P., & Vogel, M. (2012). The violence of voicelessness: The impact of felony disenfranchisement on recidivism. *Berkeley La Raza Law Journal*, 22, 407- 432. <https://doi.org/10.15779/Z38Z66F>
- ²¹ Liebelson, D. (2019, September 6). In prison, and fighting to vote. *The Atlantic*. <https://www.theatlantic.com/politics/archive/2019/09/when-prisoners-demand-voting-rights/597190/>
- ²² Liebelson (2019), see note 21.