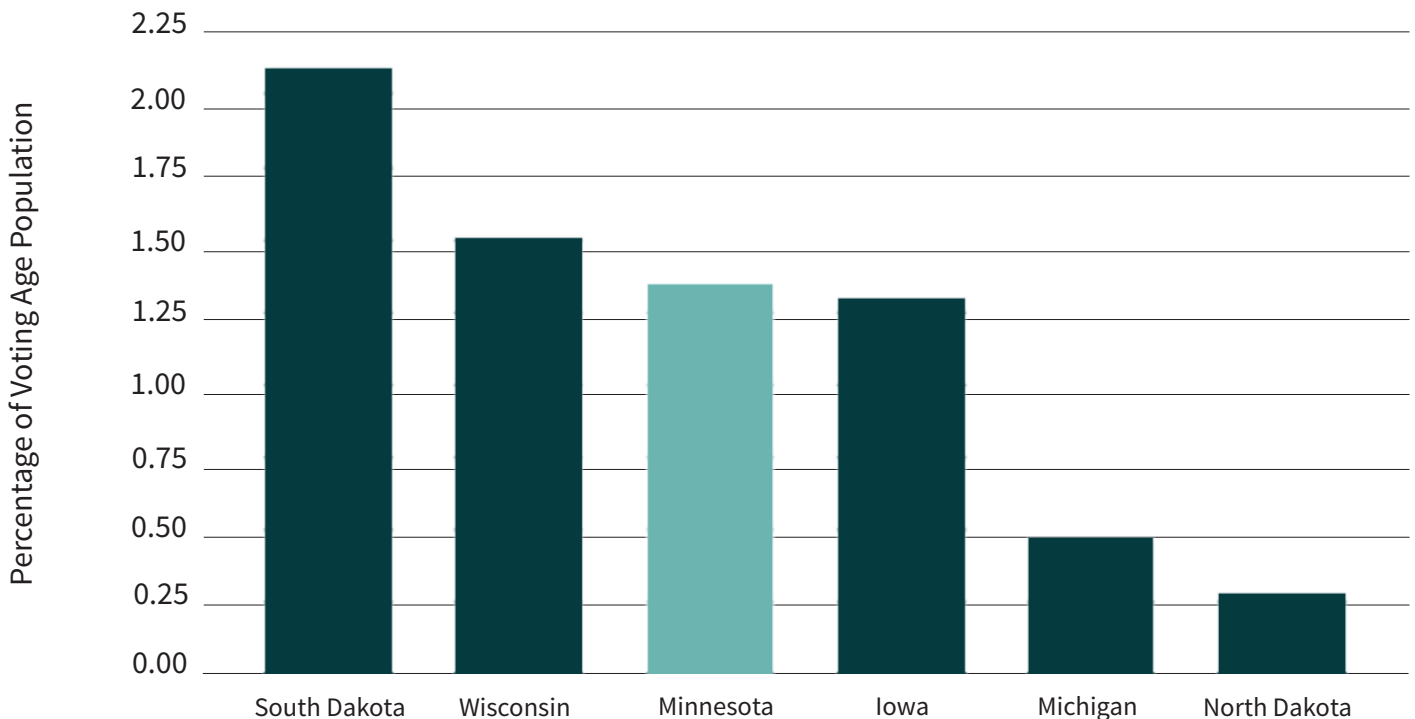


Minnesota Should Restore Voting Rights to Over 55,000 Citizens

Over 55,000 Minnesotans are currently locked out of our democracy, representing 1.3% of the state’s voting eligible population.¹ Minnesota denies the vote to more of its people with a felony conviction than three other states in the Upper Midwest.² People of color are disproportionately impacted, with Black Minnesotans disenfranchised at over four times the state rate. Latinx Minnesotans are disenfranchised at nearly twice the state rate.³ Historically, “Jim Crow” felony disenfranchisement laws—like Minnesota’s—were used to dilute the power and voice of the Black community.⁴

Felony Disenfranchisement Rates in Upper Midwest, 2022



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.

To ameliorate this racial injustice and protect its democratic values, Minnesota lawmakers should extend voting rights to all citizens with felony convictions, including persons completing felonies in prisons and jails and under community supervision for a felony conviction.

Most Disenfranchised Minnesotans Live in the Community

Minnesota’s high disenfranchisement rate is driven by the number of people under community supervision. The state forbids those on felony probation or parole and all people in prison from voting—a practice that is more restrictive than 24 states and Washington, D.C.⁵ In order to ensure that all Minnesotans have a voice in our

democracy, Minnesota should extend voting rights to all people affected by the state's criminal legal system.

While Minnesota has one of the lowest imprisonment rates in the country, the state's community supervision rate ranks sixth in the nation.⁶ As a result, most disenfranchised people in the state are currently living in their communities. About 84%, or 46,351 disenfranchised Minnesotans, are living in their communities under felony probation or parole supervision.⁷ Reinstating all justice-impacted Minnesotans' right to vote would guarantee representation and redemption for all citizens.

Racial Disparities in Criminal Justice Produce Racial Disparities at the Ballot Box

Minnesota's voting laws disproportionately disenfranchise people of color who are overrepresented in the state's criminal justice system. For example, Black Minnesotans make up about 7% of Minnesota's population, but comprise 36% of the state's prison population.⁸ Black-white disparities in its prison population are twice the national average, with Black Minnesotans imprisoned at nearly 10 times the rate of white Minnesotans.⁹

Racial disparities among people in Minnesota's large community supervision programs are also significant. Black Minnesotans make up 19% of citizens on probation and 26% of citizens on supervised release.¹⁰ Native Americans make up 6% of people on probation and 10% of people on supervised release.¹¹ While no official felony disenfranchisement estimates are available for Native Americans, their representation in Minnesota's population and criminal legal system indicates that they too are heavily impacted by felony disenfranchisement laws and policies. High felony disenfranchisement rates among communities of color dilutes representation in the state's political system. Minnesota should safeguard democratic rights and not allow a racially disparate criminal legal system to restrict voting rights.

Research shows that racial disparities are driven, at least in part, by biased sentencing. A 2016 study in the *American Journal of Sociology* found that differences in Minnesotans'

race, skin color, and Afrocentric features influence their likelihood of being sentenced to prison, as opposed to being placed on probation or having their charge adjusted to a misdemeanor.¹² Restoring the vote would help to dismantle the legacy of "Jim Crow" laws by ensuring that people who have experienced imprisonment and criminalization are guaranteed a voice in our democracy.

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."¹³ 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.¹⁴ 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."¹⁵ 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.¹⁶ 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 and under community supervision for a felony conviction, prepares them for more successful reentry and bolsters a civic identity. By ending disenfranchisement as a consequence of incarceration, Minnesota can improve public safety while also promoting reintegrative prosocial behaviors.

Minnesota Can Remove This Stain on Its Democracy

Minnesota should look to implement reforms that reinstate voting rights for those affected by the criminal legal system. Twenty-two states now extend the right to vote to people as soon as they leave prison.¹⁷ Maine, Vermont, and Puerto Rico have never taken away the right to vote for people in prison and Washington, D.C. recently reinstated it.¹⁸

Expanding the franchise to people affected by the criminal legal system would build on Minnesota's recent reforms. In 2008, Minnesota became one of just a handful of states to include racial impact statements for proposed sentencing policies, which has helped lawmakers vet bills for potentially racially disparate effects.¹⁹ Lawmakers should continue their work to address longstanding racial disparities by guaranteeing voting rights for all.

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.

² Uggen et al. (2022), see note 1.

³ Uggen et al. (2022), see note 1.

⁴ ACLU. (n.d.). *ACLU History: Felon Disenfranchisement: A Relic of Jim Crow*. <https://www.aclu.org/other/aclu-history-felon-disenfranchisement-relic-jim-crow>; ACLU of Minnesota. (n.d.). *Voting Rights Restoration*. <https://www.aclu-mn.org/en/campaigns/voting-rights-restoration>

⁵ Uggen et al. (2022), see note 1.

⁶ Kaeble, D. (2021, December). *Probation and Parole in the United States, 2020*. Bureau of Justice Statistics. <https://bjs.ojp.gov/content/pub/pdf/ppus20.pdf>

⁷ Uggen et al. (2022), see note 1.

⁸ U.S. Census Bureau. (2020). *Quick Facts: Minnesota*. <https://www.census.gov/quickfacts/MN>; Minnesota Department of Corrections. (2022, Jan 1). *Adult Prison Population Summary*. https://mn.gov/doc/assets/Adult%20Prison%20Population%20Summary%201-1-2022_tcm1089-515214.pdf

⁹ Nellis, A. (2021). *The color of justice: Racial and ethnic disparities in state prisons*. The Sentencing Project.

¹⁰ Minnesota Department of Corrections. (2021). *Minnesota statewide probation & supervised release outcomes*. https://mn.gov/doc/assets/2021%20Minnesota%20Statewide%20Probation%20and%20Supervised%20Release%20Outcomes%202017%20Cohort_tcm1089-519633.pdf?sourcePage=/doc/data-publications/research/publications/index.jsp%3Fnull

¹¹ Minnesota Department of Corrections (2021), see note 10.

¹² King, R. & Johnson, B. (2016). A punishing look: Skin tone and Afrocentric features. *American Journal of Sociology*, 122(1). <https://www.journals.uchicago.edu/doi/full/10.1086/686941>

¹³ 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>

¹⁴ Uggen et al. (2022), see note 1.

¹⁵ Uggen & Manza (2004), see note 13.

¹⁶ Hamilton-Smith, G. P., & Vogel. (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>

¹⁷ Uggen et al. (2022), see note 1.

¹⁸ Uggen et al. (2022), see note 1.

¹⁹ Mauer, M. (2009). Racial Impact Statements: Changing Policies to Address Disparities. *Criminal Justice*, 23(4), 16-21. <https://jjie.org/wp-content/uploads/2018/09/ABA-Racial-Impact-Statements.pdf>