



# Felony Disfranchisement in South Carolina

Felony disfranchisement is a policy that bars citizens from the ballot box upon conviction of a felony. In the United States, over 5.3 million Americans cannot vote due to a felony conviction and in some states, including South Carolina, individuals with misdemeanor convictions are barred as well. Felony disfranchisement laws vary from state to state. Forty-eight states bar incarcerated individuals from casting a ballot and only Maine and Vermont allowing inmates to vote. Eight states permanently ban certain individuals with a felony conviction from voting and two states bar all persons with felony convictions from voting.

The vast majority of disfranchised individuals are no longer incarcerated, but are living in their communities on probation or parole; 2.1 million members of the disfranchised population have fully completed their sentences. These disfranchised individuals are tax-paying citizens, involved with the issues in their community, but unable to vote to affect them.

The impact of felony disfranchisement falls disproportionately upon communities of color. Nearly one and a half million African-American men, or 13%, are disfranchised due to felony convictions, a rate that is seven times the national average of one out of forty-one adults. If incarceration rates hold steady, three in ten of the next generation of black men can expect to be disfranchised at some point in their lives.

However, over the last decade the national trend has moved toward lowering barriers for the disfranchised. Since 1997, 19 states have made progressive changes to their felony disfranchisement laws, enfranchising over 700,000 formerly incarcerated individuals.

In a democracy voting is a right, not a privilege. But for over 5 million Americans, that is not the case. We are aiming to change that in South Carolina.

- More than 48,000 South Carolina residents are disfranchised.
- Nearly half of South Carolina's disfranchised population is not in prison or jail, but lives in South Carolina's communities.
- One out of 27 African-American voters in South Carolina is disfranchised, compared to one out of 65 South Carolina voters.
- South Carolina has more restrictive felony disfranchisement laws than 20 other states.

## South Carolina Disfranchisement Policy

In South Carolina, individuals convicted of any felony or a misdemeanor involving a violation of election law are barred from voting until full completion of their sentences, including any term of incarceration, probation or parole. Individuals convicted of any other misdemeanor are only disfranchised while incarcerated. While not required by law, it is recommended that individuals include proof of completion of sentence with their voter registration form.

## Who Is Disfranchised in South Carolina?

An estimated 48,522 people with felony and misdemeanor convictions are barred from voting in South Carolina. Approximately 51% of the disfranchised are in prison or jail while 43% of disfranchised people are on probation and 6% are on parole. Like many of us, probationers and parolees live in their communities and work, pay taxes and raise families.

## Racial Impact

One out of 27 African-American voters is disfranchised in South Carolina, compared to 1 out of 65 of South Carolina voters. African-Americans comprise 64% of South Carolina's disfranchised population, even though they comprise only 27% of the state's voting age population.

## Voting & Public Safety

Felony disfranchisement runs counter to the goal of public safety. Restricting voting rights does not prevent crime, nor does it provide compensation to victims. In fact, disfranchising persons after release from prison is antithetical to the reentry process and harmful to long-term prospects for sustainable reintegration of ex-offenders into society. Research finds a link between voting participation and re-offense; people who voted after release from supervision were half as likely to be re-arrested as those who did not vote. Similar effects were found among people with a prior arrest; 27% of non-voters were re-arrested, compared to 12% of people who had voted.

Far from making streets safer, felony disfranchisement may be detrimental to public safety. Voting demonstrates an individual's commitment to the institutions of American democracy. The irony of felony disfranchisement is that the very behavior that society strives to encourage—the commitment to the larger social and political collective—is undermined by a policy that requires people who desire to engage in that behavior to relinquish the right to vote.

## How can I help in South Carolina?

- 1) Visit [www.democracysghosts.com](http://www.democracysghosts.com) and [www.aclu.org/righttovote](http://www.aclu.org/righttovote) to learn more about the issue and watch a film on felon disfranchisement. Show the film to your friends and neighbors!
- 2) Talk to your friends, family and neighbors and educate them about South Carolina's felony disfranchisement policy. You can download an informational postcard at [www.aclusouthcarolina.org](http://www.aclusouthcarolina.org)