

Attorney General Raoul Leads Coalition Opposing Broad Lifetime Voter Disenfranchisement For People Convicted Of Felonies

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CHICAGO - Attorney General Kwame Raoul, with Connecticut Attorney General William Tong and District of Columbia Attorney General Brian Schwalb, co-led a

collation of 22 state attorneys general in calling for an end to Mississippi's regime of large-scale, permanent felon voter disenfranchisement.

Raoul and the attorneys general filed an [amicus brief](#) in the U.S. Court of Appeals for the 5th Circuit. A panel of 5th Circuit judges previously ruled that Mississippi's system constitutes cruel and unusual punishment under the Eighth Amendment of the U.S. Constitution and entered an order instructing the district court to issue an injunction stopping Mississippi from enforcing the provision. However, the 5th Circuit vacated that ruling and decided to have the full court hear the case.

"The vast majority of states have come to recognize that restoring voting rights helps convicted people fully reintegrate into their communities after they have served their debt to society," Raoul said. "Restoring this fundamental right fosters civic participation and improves public safety."

Mississippi's state constitution bars people convicted of a wide range of felonies from voting. During the 2022 election cycle, more than 220,000 Mississippians who had completed their sentences or who were on probation or supervised release were barred from voting under the state's system. The constitution also includes a process for those convicted of felonies to regain the right to vote, through either a gubernatorial pardon or a two-thirds vote by both houses of the state legislature. However, this bar for re-enfranchisement is practically unattainable, usually resulting in fewer than five people regaining the right to vote in any given year.

In their brief, Raoul and the attorneys general argue that Mississippi's approach, which has remained largely untouched since 1890, is out of step with the rest of the country. The brief notes that 39 states and the District of Columbia have reached a consensus that people convicted of felonies should be able to vote after serving their sentences and that restoring this right has public safety benefits. Over the past 25 years, states have restored voting rights to more than 1 million people by reforming their felon disenfranchisement laws.

Raoul and the coalition maintain that restoring voting rights is particularly important given the disparate impact of felon disenfranchisement laws on minority communities. Mississippi's disenfranchisement system was enacted during the Reconstruction era in response to the expansion of Black suffrage and with the express purpose of ensuring that the government would remain "under the control of the white people of the State." As of the November 2022 election, nearly 16% of the Black voting-age population of the state was disenfranchised.

Joining Attorneys General Raoul, Schwalb and Tong in filing the brief are the attorneys general of California, Colorado, Delaware, Hawaii, Maine, Maryland, Massachusetts,

Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, Oregon,
Pennsylvania, Rhode Island, Vermont, Washington and Wisconsin.