

City University of New York (CUNY)

CUNY Academic Works

Student Theses

John Jay College of Criminal Justice

Spring 6-2020

Felony Disenfranchisement: Factors Relating to Support for Restoration

Alexis K. Karpf
karpf.alexis@gmail.com

[How does access to this work benefit you? Let us know!](#)

More information about this work at: https://academicworks.cuny.edu/jj_etds/143

Discover additional works at: <https://academicworks.cuny.edu>

This work is made publicly available by the City University of New York (CUNY).
Contact: AcademicWorks@cuny.edu

Felony Disenfranchisement: Factors Relating to Support for Restoration

Alexis K. Karpf

John Jay College of Criminal Justice

Abstract

Felony Disenfranchisement, a collateral consequence, strips justice-involved individuals of their voting rights. While this policy is enacted in 48 states and the District of Columbia, a majority of community members are unaware of its existence. The current study used three hypotheses to guide its research about how education about disenfranchisement policy impacts a community member's opinion: 1) Participants exposed to information about the effects of disenfranchisement will be more supportive of enfranchisement than those in the control condition; 2) Participants who receive the vignette featuring the White justice-involved individual will indicate a higher level of support for enfranchisement compared to those who received the vignette about the Black justice-involved individual; 3) Participants that showed high support for felony enfranchisement will show a similarly high level of support for educational access, employment assistance, and housing aid. The data of 346 community members were analyzed and implications of the results are discussed within this paper.

Table of Contents

Literature Review	4
Current Study	13
Methodology	14
Design	14
Participants	14
Procedure	15
Measures	16
Results	18
Discussion	20
References	24
Tables	27
Appendix A: MTurk Recruitment Script	29
Appendix B: Educational/Control Stimuli	30
Appendix C: Vignettes	34
Appendix D: Adapted Questionnaire	35

Literature Review

Public opinion dictates that support for rehabilitative responses and punitive actions co-exist in regard to the criminal justice system (Garland, Wodahl, & Cota, 2016). This is an interesting juxtaposition as it posits that society's conflicting opinion on the prison population is evident in the way that we treat individuals newly released into free society. Research has shown that even during the War on Crime, support for rehabilitative measures didn't waver (Garland et al., 2016). Nonetheless, this "get tough approach" caused America to hold 25% of the world's inmates, even though America only makes up 5% of the world's population (Yamatani & Spjeldnes, 2011). Yet, when the American government started the tough on crime movement, little forethought was given to what consequences would occur from a steep increase in imprisonment.

In modern society, however, it is becoming more pressing to deal with the ramifications of that previous movement. Reintegration is a current issue that is becoming more important for researchers to focus on; specifically, how the re-entry process is linked to either successful reintegration or recidivism. A large portion of those sentenced during the War on Crime era are now being released shedding light on the ways the government fails them as they try to acclimate to normal society. A major influence is how collateral consequences impede a justice-involved individual's reintegration process. While these sanctions are often referred to as "invisible punishments," the government does not view these after-effects as punishments. Instead, they are categorized as civil penalties, thus the government does not believe they are being excessive or unfair with these restrictions (Whittle, 2018).

Felony Disenfranchisement

The criminal justice system bifurcates illegal acts into two categories: felonies and misdemeanors. Misdemeanors are considered less serious offenses that are defined as punishable by jail sentences (i.e. less than a year), fines, or both (Uggen, Manza, & Thompson, 2006). A felony is any crime (e.g. murder, arson, possession with intent to distribute) that carries an incarceration sentence of more than one year (Uggen et al., 2006). However, along with the consequence of serving more time incarcerated, a felony conviction also affects many other areas of the individual's life once released back into free society. The following literature review will focus specifically on the collateral consequence of felony disenfranchisement, which is defined as an inability to vote, hold public office, as well as the restrictions on attaining welfare (Uggen et al., 2006). While many social policies have evolved throughout history, disenfranchisement policy has remained firmly rooted in the past by not going through changes congruent to current times.

Historical Background

The Ancient Greeks practiced constructive exile - *atimia* - banning individuals who were found guilty of a crime from petitioning the government, voting, holding office, suing other people, enlisting, and receiving public assistance (Hamilton-Smith & Vogel, 2012). Similarly, Medieval Europe and Medieval Germany practiced civil death and outlawry, respectively; these sanctions were imposed to let the offender know that they were no longer a part of society. Civil death stripped the individual of civil rights whereas outlawry forced the offender into exile. This practice meant that offenders would lose all societal benefits and protections. Modern disenfranchisement is similar to these practices by placing restrictions on voting, holding public office, and attaining welfare.

English common law had the most severe influence on offenders. People who committed a crime were marked with attainder that made them forfeit their property, banned them from passing property on through inheritance, and rescinded their civil rights. After the American Revolution, individual states started enacting similar provisions of attainder, but were less severe by limiting only the right to vote. Disenfranchisement became even more popular among state governments following the Civil War as a means to legally bar African-Americans from voting.

The criminal justice system is known to disproportionately involve minorities, which results in 1 out of every 6 African-American males to be impacted by disenfranchisement (Dawson-Edwards & Higgins, 2013). Statistical data from the Department of Justice estimates that 28.5% of Black men will go to prison in their lifetime; this is at a rate of 6 times higher than White men (Bowers & Preuhs, 2009). Furthermore, it has been assumed that 40% of the next generation of Black males will experience felony disenfranchisement. These high, but not unexpected statistics perfectly illustrate the original intentions of disenfranchisement policy.

Currently, 48 states and the District of Colombia have disenfranchisement policies enacted that vary in severity (Hamilton-Smith & Vogel, 2012; Miller & Agnich, 2016). Vermont and Maine are the only states that have fully enfranchised those in the criminal justice system, including those that are currently incarcerated (Hamilton-Smith & Vogel, 2012). The most severe restrictions in states like Florida permanently disenfranchise offenders even after they finish their sentence (Hamilton-Smith & Vogel, 2012; Dawson-Edwards & Higgins, 2013; Miller & Agnich, 2016). Most states, however, compromise between the two extremes, often re-enfranchising individuals once they are released from prison and are no longer on parole or probation (Hamilton-Smith & Vogel, 2012).

Since this practice of depriving individuals of their rights is something deeply intertwined with America's legal system and has not been reassessed recently, it is essential to re-evaluate the policy to bring it in line with twenty-first century values to ensure that the American viewpoint is represented within this policy.

Related Theories

There are several developed theories that examine the efficacy of sanctions on individuals who commit crimes. The first approach, deterrence theory, is centered on making the consequences outweigh the gains (Miller & Agnich, 2016). A general deterrence approach targets the whole public through practices such as making it known that individuals who commit crimes may go to prison. Specific deterrence, on the other hand, aims to prevent an individual's future criminal activity by imposing heavy fines or the like to discourage them from becoming repeat offenders. From a deterrence theory perspective, disenfranchisement is only effective if the public is aware that a felony conviction affects their voting rights. Contrarily, the majority of people are unaware that disenfranchisement exists, thereby negating its impact as an effective deterrent (Miller & Agnich, 2016; Dhimi & Cruise, 2013).

Likewise, labeling theory claims that punishment can lead to recidivism due to the stigma it attaches to the person who committed the crime (Miller & Agnich, 2016). This assumption relates to disenfranchisement because the justice-involved individual is constantly reminded of their crimes when they are rejected from fully participating in civic duties. Although being ineligible to vote is not as publicly announced as other stigmatic labels, this formal exclusion stands as a reminder to the individual that they are no longer accepted as full citizens - a reminder that may increase re-offending.

Another relevant theory is reintegrative shaming, which proposes that individuals need to be accepted back into society once “properly shamed” (Miller & Agnich, 2016). The goal is that the shamed party gains a conscience and employs empathy about the consequences of their actions. Conversely, stigmatization, which is often connected to having a criminal record, is an example of disintegrative shaming. This has the potential to separate society into class levels, with justice-involved individuals considered outcasts (Miller & Agnich, 2016; Uggen et al., 2006).

Justice-involved Individuals’ Opinions

Two teams of researchers, Miller and Agnich (2016) and Miller and Spillane (2012), conducted semi-structured interviews with individuals with completed felony sentences in order to gain insight into how disenfranchisement impacts reintegration. Miller and Agnich (2016) gathered data regarding reactions to disenfranchisement and its connection to reintegration. The data was then sorted into three narratives: anger, embarrassment, and fatalism. Those that fell in the anger category were frustrated with being punished despite having served out their sentence. Others were embarrassed about not being considered a full citizen and felt ashamed of their circumstance. The last group felt that they would always have a life of restricted opportunities with no control. There was also a small group known as the “never franchised” who received a felony conviction before they were of legal voting age, therefore forcing them to have a complicated relationship with disenfranchisement since they were never afforded the opportunity to vote.

Although the participants in the embarrassed and fatalistic narratives were found to be at a lower risk of recidivism than those in the anger narrative, they were not immune to reoffending. The reintegrative shaming theory points to the benefits that shame can have, but if the feeling of

shame lasts too long, the individual may then become angry instead. Thus, the fact that some states never re-enfranchise their citizens may contribute to feelings of anger that can then turn into defiance against the law.

Similarly, Miller and Spillane (2012) conducted semi-structured interviews with Floridian men. They examined the relationship between salience, defined by the authors as “the perceived connection the ex-offender made between civic exclusion and the ability to stay out of trouble with the law” and engagement, which referred to “the expression of interest in voting” (p. 413). Salience was denoted as either high (HS) or low (LS) whereas engagement was classified as either engaged (E) or disengaged (D). Four typologies emerged - direct impact (HS/E), indirect impact (HS/D), low impact/engaged (LS/E), and low impact/disengaged (LS/D) - allowing the researchers to draw several conclusions.

The smallest group (15%) were those in the direct impact narrative; they saw the inability to vote as directly connected to successful reintegration. They held this perception because they associated the lack of political rights with being separated from the community. This societal alienation threatened their re-entry process and put them at risk for re-offending. In comparison, the indirect impact group related the inability to vote with other reintegration barriers like unemployment. Some formerly incarcerated people in this group felt that if they had the right to vote, they could help change policies, thereby making it easier for people with a criminal record to become employed. This, in turn, would lead to reduced risk of recidivism.

The largest group with 37% of participants was the low impact, engaged category. These individuals had a desire to be politically active, yet did not view disenfranchisement as affecting their reintegration. These individuals placed importance on personal responsibility. Therefore, theirs was a conscious decision to discontinue criminal activity. Viewing voting and recidivism

as two independent entities allowed these individuals to separate the two ideas, lowering any causal link. Individuals who felt no desire to vote and did not see a connection between enfranchisement and desistance were placed into the last group: low impact, disengaged. Less than one quarter of the sample fell into this group, illustrating that the majority of formerly incarcerated people are interested in voting.

Community Members' Opinions

While the public may not be directly affected by disenfranchisement policy, it is important to acknowledge any indirect effects to properly conceptualize the overall impact of this collateral consequence. Moreover, it is imperative to establish a baseline on how the public currently feels towards disenfranchisement, especially since states are beginning to review their disenfranchisement policies. Dawson-Edwards (2008) extracted three inferences about the public's stance on punishment-related protocols. First, the public is supportive of specific policies regarding penal abuse towards offenders. Second, punitive and progressive views can co-exist, therefore making it possible to elicit support for rehabilitative policies. Third, most individuals hold their punitive views on a spectrum and may judge one situation less harshly when taking mitigating circumstances into account. This subtle support of rehabilitation views is a favorable sign, especially because the effect of disenfranchisement is felt through the whole community.

Communities with large numbers of disenfranchised individuals tend to have lower voter turnout from enfranchised citizens (Bowers & Preuhs, 2009; Dawson-Edwards & Higgins, 2013). This outcome disproportionately impacts minority communities who are engaged in the criminal justice system at a higher rate than their White counterparts (Uggen et al, 2006; Wilson, Owens & Davis, 2015; Dawson-Edwards & Higgins, 2013). This pattern can be attributed to political

socialization, where those that are enfranchised are discouraged from voting because they see that many of their peers are not voting (Bowers & Preuhs, 2009). It may be an unconscious decision influenced simply by being around disenfranchised individuals, which highlights the importance of understanding the effects of disenfranchisement.

Not surprisingly, the public has a severe lack of education about the existence of disenfranchisement policies (Dhami & Cruise, 2013). This is consistent with the fact that collateral consequences are often referred to as “invisible punishments.” This ignorance again speaks to the inefficacy of using disenfranchisement, since consequences are only effective if they are known to the public. Consequently, if more people were aware of this invisible punishment, there might be greater outcry to enfranchise individuals.

Manza, Brooks, and Uggen (2004), using a national sample of 1,000 adults, concluded that the public supports enfranchising individuals with a felony record. Overall, 80% of the sample favored enfranchisement to any individual not currently incarcerated. This support, however, fluctuated based on the status of the offender. 60 to 68% supported enfranchising probationers and 60% supported enfranchising parolees. These results indicate that there is a discrepancy between current policy and public opinion.

Other Collateral Consequences

There are other collateral consequences that can alter an individual with a felony record’s life, such as difficulty finding housing, limited educational aid, and scarce employment opportunities. Previous research has been conducted on all of these areas, and the current study will briefly look at the connection between felony disenfranchisement, housing, education, and employment.

Ouellette, Applegate, and Vuk (2017) examined South Carolinians opinion on personal support and public policy for several collateral consequences. These researchers found that participants supported employment, remedial education, and federal grants for education for people being released from the criminal justice system. Participants also were in favor of formerly incarcerated individuals being allowed to apply for public housing. Employment was found to be the most supported program initiative whereas participants were more hesitant with housing policies - consistent findings with many other studies done in this area.

Punishment research has shown that there are three main values relating to reintegration: social welfare, retribution, and self-interest (Garland, Wodahl, & Schuhmann, 2013). These attributes help form a person's opinion for support of several collateral consequences. The aforementioned study found that when social welfare increases with little infringement on self-interest, a person is more likely to be supportive of reintegration policy.

Gaps

Since it is clear that the public is indirectly affected by and somewhat disapproving of disenfranchisement policies, it is important to further investigate their opinions on collateral consequences. Many of the existing articles on the topic of disenfranchisement were written in law journals, not from a psychological point of view. Therefore, additional research from a social science perspective, especially empirical studies, is needed to further clarify the findings and policy implications in this line of work. The current study will be concerned with answering questions about how educational awareness about disenfranchisement policy will influence an individual's opinion on restoration of rights.

There is evidence that supports a link between voting rights and rehabilitation/lower risk of recidivism; however, more research is required to clearly define this association (Whittle, 2018). If it is acknowledged that disenfranchisement fuels recidivism rates, the public and governmental agencies may decide to reassess the current policy. There have also been several recommendations to examine specific states to see how different disenfranchisement policies impact recidivism rates (Dawson-Edwards, 2008; Miller & Spillane, 2012; Owens & Smith, 2012; Whittle, 2018).

It is also critical to remember that individuals with a felony record are not a homogenous group, and each individual type of crime elicits a unique response from the public (Manza et al., 2004). Therefore, comparing which felonies receive support and which receive disapproval for enfranchisement can help guide new policy standards. While the available research highlights important information about disenfranchisement and its effects on offenders and the public, there is still a dearth of knowledge that needs to be studied further. The present study attempts to contribute to the current literature while illuminating new perspectives on the effects of disenfranchisement.

Current Study

Previous research demonstrates that the public may actually be more supportive of enfranchising individuals than the legal system currently represents (Manza et al., 2004; Dawson-Edwards, 2008). However, this opinion hinges on whether individuals are aware that disenfranchisement exists (Dhami & Cruise, 2013; Dawson-Edwards & Higgins, 2013). This study aims to identify how education about disenfranchisement policy affects a person's opinion on the subject. Past studies that have controlled for education have only asked the participant to disclose how familiar they are with this collateral consequence. This study will take it a step

further by manipulating the participant's education level by exposing the experimental group to an article about disenfranchisement policy.

There are three hypotheses that guide the present study: 1) Participants exposed to information about the effects of disenfranchisement will be more supportive of enfranchisement than those in the control condition. 2) Participants who receive the vignette featuring the white justice-involved individual will indicate a higher level of support for enfranchisement compared to those who received the vignette about the black justice-involved individual. 3) Participants that showed high support for felony enfranchisement will show a similarly high level of support for educational access, employment assistance, and housing aid.

Methodology

Design

This experiment was a 2 (education: disenfranchisement education; control) x 2 (race: Black; White) factorial design with random assignment to the conditions. The dependent variable is level of support for restoration of voting rights.

Participants

Based on a power analysis employing an effect size of 0.2, the required sample size is 265 individuals, but 350 participants were recruited to be involved in the study to account for potential dropouts and unusable data. A total of 346 participants' data was included in the statistical analyses done for this study. Participants were recruited from Amazon Mechanical Turk (MTurk), a database that allows anyone with an account to fill out surveys and similar tasks in exchange for monetary payment (Appendix A). Compensation for this study was one dollar and was awarded to the participant after completion of the session.

Respondents were required to be of legal voting age (i.e. 18 years or older) and an American citizen. If the participant was 18 years of age or older, but was not eligible to vote in the United States for any reason, they were excluded from the study to avoid potential underlying biases against the voting system. Demographics were collected, but answers were not required from the participants, which led to the following configuration. The study was comprised of 22 (6.4%) 18-23 year olds, 214 (61.8%) 24-42 year olds, 66 (19.1%) 43-54 year olds, and 44 (12.7%) individuals fell into the 55 or older category. The gender breakdown was 194 (56.1%) who identify as male, 151 (43.6%) who identify as female, and 1 (0.3%) who identify as non-binary. Race was also collected with 2 (0.6%) Indian/Alaskan Native, 27 (7.8%) Asian, 37 (10.7%) Black/African-American, 28 (8.1%) Hispanic/Latino, 3 (0.9%) Native Hawaiian, and 249 (72%) Caucasian. Political ideology was also assessed where participants self-identified as conservative (92; 26.6%), moderate (80; 23.1%), and liberal (174; 50.3%). Lastly, geographic area was collected via a write-in of what state the participants resides in with the majority of participants living in the Southern geographical region of the country.

Procedure

Individuals who chose to participate in the study via MTurk were prompted to read an informed consent form that states all IRB contingent information. After agreeing to the informed consent, they were prompted to read a short article either on felony disenfranchisement (education manipulative) or juvenile justice (control). After reading the randomly assigned article, the participants read a vignette detailing a drug felony. The race of the justice-involved individual portrayed within the vignette was either White or Black, which was randomly generated through Qualtrics. For the final step of this experiment, the participants answered several questions regarding support for restoration of voting rights, educational access,

employment assistance, and housing aid both for the individual depicted in the vignette and generally for individuals who completed their entire prison sentence. Additionally, they answered items relating to a social desirability scale to control for any potential bias.

The whole study was designed to take no more than 30 minutes to complete the full experiment, and the average time was 15 minutes. Due to the nature of the study, no debriefing was necessary for the participants to undergo because the information was not categorized as sensitive or likely to trigger any harm to participants.

Measures

Stimulus Materials

The article (Appendix B) given to the participants in the beginning of the study acted as the stimulus for manipulating education level. Those in the experimental group read about felony disenfranchisement policy through an article obtained from The Sentencing Project, an organization dedicated to creating an unbiased criminal justice system. The one-page excerpt supplied brief statistics about how many people are disenfranchised, some examples of how state policies have changed, and a concise overview of how it disproportionately affects the Black community. The distractor article given to the control group was about juvenile justice and was also obtained from The Sentencing Project. This excerpt explained how the procedure for sentencing juveniles to life without parole was overturned and retroactively applied to cases. Both pieces were accompanied by a map illustration that color-coded each state based on their respective policies. This was included to help people better understand the material presented in the articles in case some of the legal concepts were hard to comprehend.

The principle investigator created two versions of a vignette (Appendix C) detailing an individual with a drug felony record: one with a White justice-involved individual and another

with a Black justice-involved individual. It was intentionally written to be vague as to not influence the participant's attitude by including additional contextual factors like housing conditions upon release. The drug was also not specified because that could have unknowingly had a compounding effect since people look at weed versus heroin, for example, differently in terms of punishment. The individual's age, however, was provided to ensure that the article about juvenile justice did not alter any perceptions.

Outcome Variable Measures (Appendix D).

Adapted Questionnaire.

The outcome measures used in the present study were adapted from a measure developed by Manza et al. (2004). Their measure assessed public support for various types of crimes and for the different levels of an individual's status. (*Baseline Ex-Felon Item: "Now how about people convicted of a crime who have served their entire sentence, and are now living in the community. Do you think they should have the right to vote?"*). The authors did not report on the psychometric properties of their measure.

The questions employed in this study used this phrasing as a model and were adapted for the other collateral consequences - educational access, employment assistance, and housing aid. Responses were recorded on a 5-point Likert scale from (1) strongly disagree to (5) strongly agree.

Marlowe-Crowne Short Form.

The Marlowe-Crowne Short Form was included to assess and control for social desirability (Reynolds, 1982). This measure involves 11 items answered in a true-false dichotomous format (*Item 28: "There have been times when I was quite jealous of the good fortune of others"*). Reynolds (1982) conducted a reliability analysis on the short form he created

from the original version of this measure and reported a reliability coefficient of 0.82. This is comparable to the reliability that was found for the original 33-item Marlowe-Crowne Form.

Results

First and Second Hypotheses

A Univariate Analysis of Variance (ANOVA) was conducted to test the study's first and second hypotheses. The first hypothesis stated that participants exposed to information about effects of disenfranchisement will be more supportive of enfranchisement than those in the control condition. The second hypothesis stated that participants who receive the vignette featuring the White justice-involved individual will indicate a higher level of support for enfranchisement compared to those who received the vignette about the Black justice-involved individual.

Using support level for the drug felony disenfranchisement question as the dependent variable, the results are as follows. There was no significant main effect for the article, $F(1, 342) = 1.22, p = 0.27$. There was no significant main effect for the vignette, $F(1, 342) = 0.69, p = 0.40$. Because of this, the included social desirability scale was not analyzed since there was no concern of participants attempting to put themselves in a better light. There was no significant interaction effect between the article and the vignette, $F(1, 342) = 0.001, p = 0.97$.

A second ANOVA was conducted using support level for general felony disenfranchisement as the dependent variable, and the following results were found. There was no significant main effect for the article, $F(1, 342) = 2.35, p = 0.13$. There was no significant main effect for the vignette, $F(1, 342) = 0.37, p = 0.54$. There was no significant interaction effect between the article and the vignette, $F(1, 342) = 0.05, p = 0.82$.

Third Hypothesis

The third hypothesis stated that participants that showed high support for felony enfranchisement would show a similarly high level of support for educational access, employment assistance, and housing aid.

A parametric test, Pearson's Correlation, was run on each collateral consequence item to see if there was any connection of support level. Each correlation assessed the strength of the relationship between general felony enfranchisement support and each of the other collateral consequences. Each item returned a significant result and the numbers are reported in Table 3. The strongest correlation was between the two felony enfranchisement categories with a correlation of 0.77 ($p < 0.001$); whereas the weakest, yet still significant correlation was employment access for an individual with a general felony record with a correlation of 0.43 ($p < 0.001$).

Following the results of the correlation test, a MANOVA was used to compare support for educational access, employment assistance, and housing aid. The multivariate result was not significant for any main effects or interactions. Pillai's Trace = 0.01, $F(4, 339) = 0.98$, $p = 0.42$ for the article. The vignette had a Pillai's Trace = 0.01, $F(4, 339) = 0.56$, $p = 0.69$. The interaction between the article and the vignette had a Pillai's Trace = 0.02, $F(4, 339) = 1.79$, $p = 0.13$.

Demographics

Gender

Two T-tests were conducted to see if there was a significant difference in average level of support for drug felony and general felony disenfranchisement between males and females. There were no significant differences in level of support for drug felony disenfranchisement, $t(343) = -0.97$, $p = 0.33$. However, females reported significantly greater level of support of

general felony enfranchisement ($M = 4.36$, $SD = 1.04$) than males ($M = 4.25$, $SD = 1.07$), $t(337.57) = -2.18$, $p = 0.03$. The mean difference was -0.23 , with a 95% confidence interval $[-0.44, -0.02]$; Cohen's d was calculated to be -0.23 .

Race

Two T-tests were conducted to see if there was a significant difference in average level of support for drug felony and general felony disenfranchisement between White participants and Black participants. It was found that Black participants reported significantly greater levels of support of drug felony enfranchisement ($M = 4.59$, $SD = 0.67$) than White participants ($M = 4.30$, $SD = 1.07$), $t(65.77) = 2.26$, $p = 0.03$. The mean difference was 0.30 , with a 95% confidence interval $[0.04, 0.56]$; Cohen's d was calculated to be 0.28 . There were no significant differences in level of support for general disenfranchisement, $t(73.35) = 1.70$, $p = 0.09$.

Political Ideology

Two T-tests were conducted to see if there was a significant difference in average level of support for drug felony and general felony disenfranchisement between conservative and liberal participants. It was found that liberal participants reported significantly greater levels of support of drug felony enfranchisement ($M = 4.59$, $SD = 0.77$) than conservative participants ($M = 3.91$, $SD = 1.24$), $t(129.03) = -4.80$, $p = .000$. The mean difference was -0.68 , with a 95% confidence interval $[-0.96, -0.40]$; Cohen's d was calculated to be -0.71 . It was found that liberal participants reported significantly greater levels of support of general felony enfranchisement ($M = 4.64$, $SD = 0.77$) than conservative participants ($M = 3.93$, $SD = 1.18$), $t(127.45) = -5.25$, $p = .000$. The mean difference was -0.70 , with a 95% confidence interval $[-0.97, -0.44]$; Cohen's d was calculated to be -0.79 .

Discussion

Implications

This study set out to see if education about disenfranchisement policy would cause people to have higher support for enfranchisement than those that did not receive the educational material. The alternative hypotheses regarding this research question were rejected, thus indicating that education may not have had an impact on why people were in support or against felony disenfranchisement.

The statistical analyses that were conducted to compare groups within demographic categories, however, offer some interesting results. It was found that females, Black individuals, and liberals were amongst the most supportive groups for felony enfranchisement. Reasons as to why people with these characteristics express more support give way to an avenue for future research. Based on what is known about the criminal justice system's demographics, Black individuals are affected at a higher rate leading to a potential underlying cause as to why these participants were more sympathetic to reducing this sanction. Additionally, liberals are known for having more human right oriented principles, which could have been a factor as to why they were more in favor of enfranchisement than their conservative counterparts. It was surprising to see females being more supportive of enfranchisement than males considering males are impacted by disenfranchisement at a higher rate.

Limitations

There are some limitations to note that may have had an impact on the results found. First, the small sample size might not have had the needed statistical power to properly represent the United States population. Additionally, due to heavy concentrations of certain demographics over others, the sample may not be generalizable to all of America.

Secondly, the vignette was written by the principal investigator and did not undergo any validity testing. Therefore, more psychometric testing should be conducted on the vignette to ensure that it is an appropriate measure to employ in future studies.

Lastly, this study was hinged on the idea that education about felony disenfranchisement would make a persuading case for restoration of votes; however, there was no index of previously known knowledge.

Future Research

This study sets a foundation for future research about felony disenfranchisement. Additional studies can vary the type of education stimulus to see if participants retain the material better if learned through an article, a video, or an in-person lecture. This information would allow for programs to be appropriately tailored making sure that the most people are being educated in the best way possible.

More so, the current study only looked at if the justice-involved individual was White or Black. The criminal justice system, however, is comprised of more races beyond those two and further research is needed to focus on other racial groups as well. Lastly, the questionnaire was only concerned with individuals who had finished their sentence, yet were still being punished through disenfranchisement. Expanding this same study, but to additional status levels of justice-involved individuals such as on parole, on probation, or currently incarcerated would be useful in finding out whether that context changes the participant's opinion.

Final Thoughts

While this study did not produce meaningful results for the majority of statistical tests run, it still adds a considerable amount of data to existing research within this area of the criminal justice system. Acknowledging that there is a strong correlation against collateral consequences

is useful information that can help guide activist groups in their fight to dismantle these oppressive punishments. At the moment, there are several activist groups that focus on bringing attention to just one invisible punishment at a time, but they might be able to have a more powerful impact if they combine forces and try to tackle the concept of collateral consequences as a whole.

Furthermore, this study is still updating the literature since the last published studies about felony disenfranchisement and public opinion were conducted in the early 2000s. Education is an important tool in the plea for restoration of voting rights; this study is one way to make state governments and other influential people aware of this civil rights issue and how the general public feels about it.

References

- Bowers, M., & Preuhs, R. R. (2009). Collateral consequences of a collateral penalty: The negative effect of felon disenfranchisement laws on the political participation of nonfelons. *Social Science Quarterly, 90*(3), 722-743.
- Chung, J., & Gotsch, K. (2019, June 27). Felony Disenfranchisement: A Primer. Retrieved from <https://www.sentencingproject.org/publications/felony-disenfranchisement-a-primer/>.
- Dawson-Edwards, C. (2008). Enfranchising convicted felons: Current research on opinions towards felon voting rights. *Journal of Offender Rehabilitation, 46*(3-4), 13-29.
- Dawson-Edwards, C., & Higgins, G. E. (2013). Knowledge & attitudes towards felon-voting rights: an examination of the untapped perspectives of HBCU college students. *Criminal Justice Studies, 26*(4), 393-407.
- Dhami, M. K., & Cruise, P. A. (2013). Prisoner disenfranchisement: Prisoner and public views of an invisible punishment. *Analyses of Social Issues and Public Policy, 13*(1), 211-227.
- Garland, B., Wodahl, E., & Schuhmann, R. (2013). Value Conflict and Public Opinion Toward Prisoner Reentry Initiatives. *Criminal Justice Policy Review, 24*(1), 27-48.
- Garland, B., Wodahl, E., & Cota, L. (2016). Measuring public support for prisoner reentry options. *International Journal of Offender Therapy and Comparative Criminology, 60*(12), 1406-1424. doi: 10.1177/0306624X15578438
- Hamilton-Smith, G. P., & Vogel, M. (2012). The violence of voicelessness: The impact of felony disenfranchisement on recidivism. *Berkeley La Raza LJ, 22*, 407.

- Manza, J., Brooks, C., & Uggen, C. (2004). Public attitudes toward felon disenfranchisement in the United States. *Public Opinion Quarterly*, 68(2), 275-286.
- Miller, B. L., & Spillane, J. F. (2012). Civil death: An examination of ex-felon disenfranchisement and reintegration. *Punishment & Society*, 14(4), 402-428.
- 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.
- Ouellette, H., Applegate, B., & Vuk, M. (2017). The Public's Stance on Prisoner Reentry: Policy Support and Personal Acceptance. *American Journal of Criminal Justice*, 42(4), 768-789.
- Owens, M. L., & Smith, A. R. (2012). "Deviants" and democracy: Punitive policy designs and the social rights of felons as citizens. *American Politics Research*, 40(3), 531-567.
- Reynolds, W. M. (1982). Development of reliable and valid short forms of the Marlowe-Crowne Social Desirability Scale. *Journal of clinical psychology*, 38(1), 119-125.
- Rover, J., & Gotsch, K. (2019, July 23). Juvenile Life Without Parole: An Overview. Retrieved from <https://www.sentencingproject.org/publications/juvenile-life-without-parole/>.
- Uggen, C., Manza, J., & Thompson, M. (2006). Citizenship, democracy, and the civic reintegration of criminal offenders. *The Annals of the American Academy of Political and Social Science*, 605(1), 281-310.
- Whittle, T. N. (2018). Felony collateral sanctions effects on recidivism: A literature review. *Criminal justice policy review*, 29(5), 505-524.

Wilson, D. C., Owens, M. L., & Davis, D. W. (2015). How racial attitudes and ideology affect political rights for felons. *Du Bois Review: Social Science Research on Race*, 12(1), 73-93.

Yamatani, H., & Spjeldnes, S. (2011). Saving our criminal justice system: The efficacy of a collaborative social service. *Social work*, 56(1), 53-61.

Tables

Table 1
Drug Felony Disenfranchisement ANOVA

Source	df	F	Sig
Article	1	1.22	.27
Vignette	1	.69	.41
Article*Vignette	1	.001	.97

Table 2
General Felony Disenfranchisement ANOVA

Source	df	F	Sig
Article	1	2.35	.13
Vignette	1	.37	.54
Article*Vignette	1	.05	.82

Table 3
*Pearson's Correlation: FD***

	FD*	EDU*	EMP*	HOU**	EDU**	EMP**	HOU**
Correlation	.77	.49	.44	.47	.48	.43	.46
Sig.	.00	.00	.00	.00	.00	.00	.00

*Drug felonies
**General felonies

Table 4
Gender T-Test

FD	Gender	N	Mean	Std. Deviation
Drug	Male	194	4.25	1.07
Drug	Female	151	4.36	1.04
General	Male	194	4.28	1.05
General	Female	151	4.51	.92

Table 5
Race T-Test

FD	Race	N	Mean	Std. Deviation
Drug	White	249	4.30	1.07
Drug	Black	37	4.6	.69
General	White	249	4.37	1.05
General	Black	37	4.57	.60

Table 6
Political Ideology T-Test

FD	Ideology	N	Mean	Std. Deviation
Drug	Conservative	92	3.91	1.24
Drug	Liberal	174	4.59	.77
General	Conservative	92	3.93	1.18
General	Liberal	174	4.64	.71

Appendix A

A master's level student is recruiting participants for their thesis research. The study will have you read a short article, a vignette, and then answer some questions concerned with collateral consequences (i.e. disenfranchisement, employment assistance, housing aid) of the Criminal Justice System. You will be compensated a dollar (\$1.00) for your time, which shouldn't be more than 15-30 minutes. At the end of the survey, you will receive a code to paste into the box below to receive credit for taking our survey. If you are interested in participating, please click the link to be directed to the informed consent waiver.

Appendix B

Felony Disenfranchisement Article

The 11 most extreme states restrict voting rights even after a person has served his or her prison sentence and is no longer on probation or parole; such individuals in those states make up over 50 percent of the entire disenfranchised population. Only two states, Maine and Vermont, do not restrict the voting rights of anyone with a felony conviction, including those in prison.

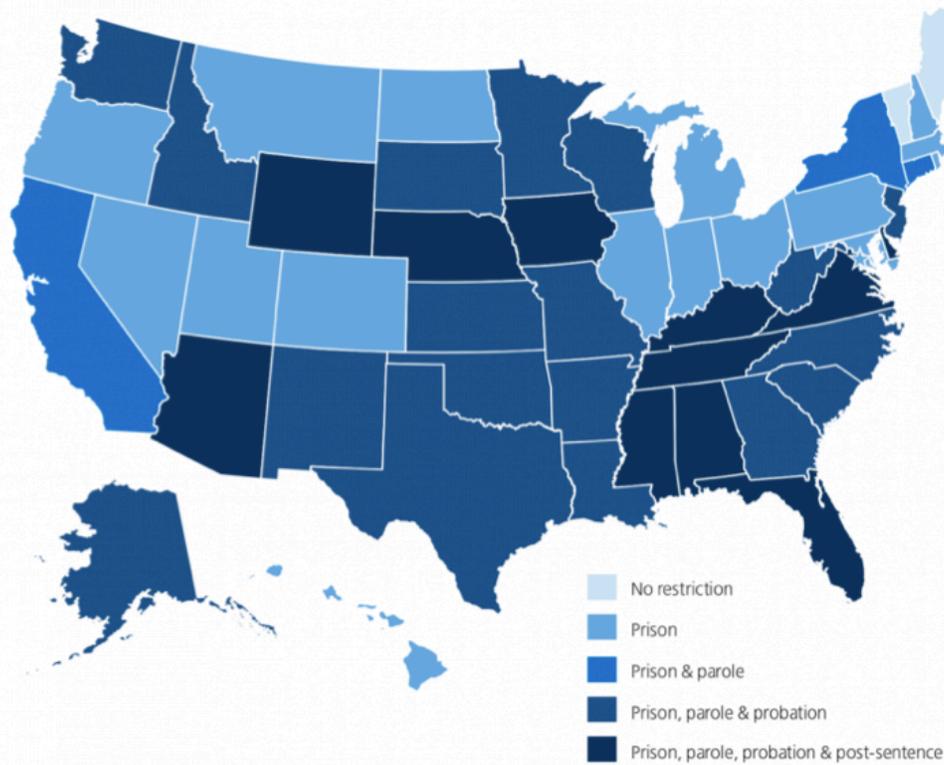
Persons currently in prison or jail represent a minority of the total disenfranchised population. In fact, 77 percent of disenfranchised voters live in their communities, either under probation or parole supervision or having completed their sentence. An estimated 3.1 million people are disenfranchised due to state laws that restrict voting rights even after completion of sentences.

Rights restoration practices vary widely across states and are subject to the turns of political climate and leadership, which has led some states to vacillate between reform and regression. In Florida, the clemency board voted in 2007 to automatically restore voting rights for many persons with non-violent felony convictions. This decision was reversed in 2011, and individuals must now wait at least five years after completing their sentence to apply for rights restoration. In Iowa, then-Governor Vilsack issued an executive order in 2005 automatically restoring the voting rights of all persons who had completed their sentences, but this order was rescinded in 2011 by Governor Branstad.

Felony disenfranchisement policies have a disproportionate impact on communities of color. Black Americans of voting age are more than four times more likely to lose their voting rights than the rest of the adult population, with one of every 13 black adults disenfranchised nationally. As of 2016, in four states – Florida (21%), Kentucky (26%), Tennessee (21%), and

Virginia (22%) – more than one in five black adults was disenfranchised. In total, 2.2 million black citizens are banned from voting.

Figure A. Felony Disenfranchisement Restrictions by State, 2019



*Adapted from Chung, J., & Gotsch, K. (2019, June 27). *Felony Disenfranchisement: A Primer*.

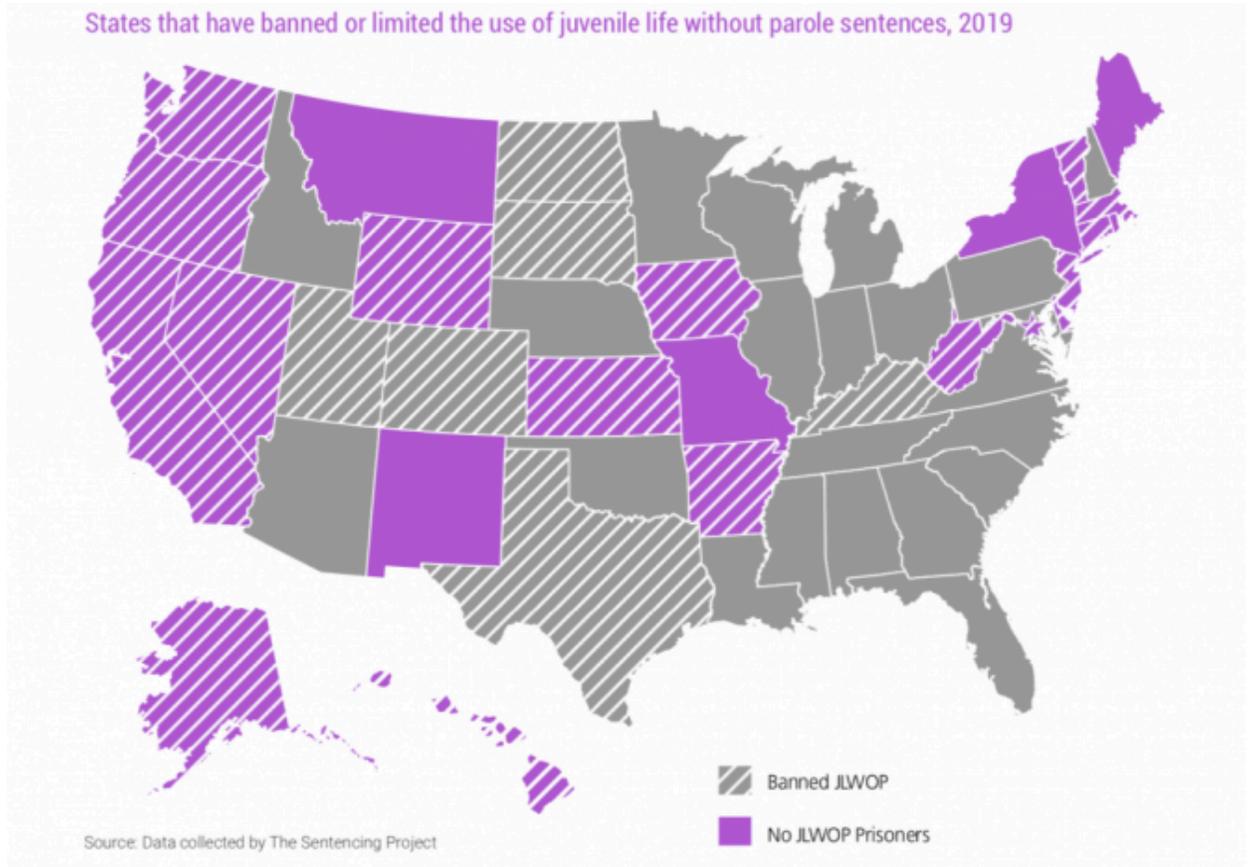
Juvenile Justice Article

There were 2,310 people serving life-without-parole sentences for crimes committed as juveniles (known as JLWOP) at year-end 2016. In its 2017 ruling in *Montgomery v. Louisiana*, the Supreme Court invalidated all existing JLWOP sentences that had been imposed by mandatory statute. As a result, youth sentenced to parole-ineligible life sentences in 20 states and the federal government are now in the process of having their original sentences reviewed or have been granted a new sentence. In a small fraction of cases, individuals have been released from prison. The post- *Montgomery* years have surely included a decline in the juvenile life without parole population, though there is no exact count as of yet.

Following the 2012 U.S. Supreme Court ruling in *Miller v. Alabama*, states and the federal government are required to consider the unique circumstances of each juvenile defendant in determining individualized sentences. *Montgomery v. Louisiana*, a 2016 decision, ensures that the decision applies retroactively. For juveniles, a mandatory life sentence without the possibility of parole is unconstitutional.

Research on adolescent brain development confirms the common sense understanding that children are different from adults in ways that are critical to identifying age-appropriate criminal sentences. This understanding – Justice Kennedy called it what “any parent knows” – was central to four recent Supreme Court decisions excluding juveniles from the harshest sentencing practices. The most recent, *Montgomery*, emphasized that the use of life without parole (mandatorily or not) should only be reserved for those juveniles whose offenses reflected “irreparable corruption,” a ruling that Justice Scalia (in dissent) wrote may eventually “eliminat[e] life without parole for juvenile offenders.”

Since 2005, Supreme Court rulings have accepted adolescent brain science and banned the use of capital punishment for juveniles, limited life without parole sentences to homicide offenders, banned the use of mandatory life without parole, and applied the decision retroactively. In 2012, the Court ruled that judges must consider the unique circumstances of each juvenile offender, banning mandatory sentences of life without parole for all juveniles; in 2016 this decision was made retroactive to those sentenced prior to 2012.



*Adapted from Rover, J., & Gotsch, K. (2019, July 23). Juvenile Life Without Parole: An Overview.

Appendix C

White Justice-Involved Individual

Jason, a White individual, served 10 years in prison on a charge of possession with intent to distribute. He finished his sentence with no additional trouble while incarcerated and attended drug therapy during his time.

Black Justice-Involved Individual

Jamal, a Black individual, served 10 years in prison on a charge of possession with intent to distribute. He finished his sentence with no additional trouble while incarcerated and attended drug therapy during his time.

Appendix D

Rate the following statements based on the person in the scenario you just read about.

	Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree
I think they should have the right to vote.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I think they should have access to education.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I think they should receive employment assistance.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I think they should receive housing aid.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Now how about people convicted of a crime who have served their entire sentence, and are now living in the community.

	Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree
I think they should have the right to vote.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I think they should have access to education.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I think they should receive employment assistance.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I think they should receive housing aid.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

It is sometimes hard for me to go on with my work if I'm not encouraged.

- True False

I sometimes feel resentful when I don't get my way.

- True False

No matter who I am talking to I am always a good listener.

True False

There have been occasions when I took advantage of someone.

 True False

I'm willing to admit it when I make a mistake.

 True False

I sometimes try to get even rather than forgive and forget.

 True False

I am always courteous even to people who are disagreeable.

 True False

I have never been irked when people expressed ideas very different from my own.

 True False

There have been times when I have been quite jealous of the good fortune of others.

 True False

I am sometimes irritated by people who ask favors of me.

 True False

I have never deliberately said something that hurt someone's feelings.

 True False