

Felon Disenfranchisement  
Podcast Transcript  
By Aqsa Bhatti

Opening – Hook

- Background Music – “Bad Dream” (Serial Podcast theme song)<sup>1</sup>
- Audio – news clip with female anchor on democracy being questioned in the US<sup>2</sup>
- Audio – news clips with male anchors on felon disenfranchisement and voting right statistics (including targeting of African-American’s)<sup>3</sup>  
\*pause background music for President Obama’s speech\*
- Audio – Obama addressing the importance of making it easier to vote for Americans<sup>4</sup>  
\*resume background music\*
- Audio – Virginia Governor arguing that felons deserve a second chance<sup>5</sup>
- Audio – S. David Mitchell, “who better to give commentary on the electoral process of our criminal justice system than those who have to face it” (introduces whose perspective the podcast will convey)<sup>6</sup>

Introduction

Today on the LAW-GIC Podcast, we’re bringing you an episode on felon disenfranchisement in the United States. The stories and perspectives that you’ll hear today are going to be told by Americans who are ex-felons, living in the US.

If you’re a fan of the LAW-GIC Podcast and are familiar with the social and legal topics we discuss, you won’t be surprised if I tell you that democracy is failing, and that America isn’t the land of the free. We know that for centuries, laws in North America have deprived so many groups of their rights – these groups include women, the poor, and people of colour.<sup>7</sup> This podcast isn’t about laws that existed hundreds of years ago... we’re talking about laws that exist today. These are felon disenfranchisement laws in the 21<sup>st</sup> century that continue to impose on the civil rights of felons – these are America’s *most* disadvantaged group.<sup>8</sup> Before we hear from the perspective of these felons, let’s talk about who felons are, what “felon disenfranchisement” is, and why it’s a threat to democracy?

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<sup>1</sup> “Serial Main Theme – ‘Bad Dream’” (<https://www.youtube.com/watch?v=M0v6dmme1DU>)

<sup>2</sup> “Florida Felons Stripped of Voting Rights” (<https://www.youtube.com/watch?v=m40KBfMjmw&t=27s>)

<sup>3</sup> “Miami Rights | May 10, 2017 Act 3 | Full Frontal on TBS” (<https://www.youtube.com/watch?v=GeZlBgX7vkg>)

<sup>4</sup> “Florida Felons Stripped of Voting Rights” (<https://www.youtube.com/watch?v=m40KBfMjmw&t=27s>)

<sup>5</sup> “Virginia Governor: Why I Gave Former Felons Voting Rights” ([https://www.youtube.com/watch?v=\\_75EgflOhWA](https://www.youtube.com/watch?v=_75EgflOhWA))

<sup>6</sup> “The Case for Letting Convicted Felons Vote” (<https://www.youtube.com/watch?v=qjrpli4zVec>)

<sup>7</sup> Nelson, Janai S. 2016. “Felon Disenfranchisement Is Anti-Democratic.” *The New York Times*, April 22. Retrieved February 6, 2018

(<https://www.nytimes.com/roomfordebate/2016/04/22/should-felons-ever-be-allowed-to-vote/felon-disenfranchisement-is-anti-democratic>)

<sup>8</sup> Miller, Bryan and Laura E. Agnich. 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.

## Background and Research

If you haven't already checked out my article in *The American Times*, here's some background on what we're talking about today. Put simply – to be 'franchised' is having the right to vote, it means being able to go to your local community centre or school and cast a ballot. We know that this basic civil right is central to any democratic nation, it's how we – the people – exercise our power through a system of fairly electing our representatives.<sup>9</sup> We've heard the term 'felon' on the news and in movies but what does it mean to be felon? A felon is someone who is found guilty of committing a crime – this crime can be violent or not – and punished by being imprisoned for over a year.<sup>10</sup> So, put together, felon *disenfranchisement* is the exclusion from voting of people who have currently or previously been convicted of a felony.<sup>11</sup> For the purpose of this episode, we'll be using phrases like "laws that prohibit Americans from voting" or "revoked civil rights".

Now the 'so what'? You now know what it is but, why do I care? Why should you care? As of 2016, approximately 6.1 million people in the United States don't have the legal right to vote due to a felony conviction.<sup>12</sup> These citizens comprise roughly 2.6% of the voting-eligible population. Although this percentage may not appear large, there are more citizens in the United States that don't have the right to vote than the total population of countries like Singapore, Denmark, and Lebanon.<sup>13</sup> If you've been to any of these countries, you know that that's A LOT of people.

## Laws and State Variation

But what's the big deal if people who commit crimes AND are in jail don't get to participate in elections? They also don't get to do a ton of other stuff. "If they can't follow laws, they shouldn't help make them!" Right? Well... the problem is that approximately 50% of these citizens have completed their jail time, they've completed their required probation, and even their parole period.<sup>14</sup> These people have paid their debt to society! Isn't the law and punishment about proportionality? So, let's say you were convicted of possession of drugs in 2005, you get out in 2010, its 2018 now and your right to vote is permanently revoked in some states. Even after the successful completion of your sentence and reintegration into the community, you don't have the right to vote.<sup>15</sup> Later on we're going to hear from some of these ex-felons themselves. BUT for now – the reason why this is SO important is that: in

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<sup>9</sup> Merriam-Webster. "Definition of Democracy" (<https://www.merriam-webster.com/dictionary/democracy>)

<sup>10</sup> Legal Match. "Definition of Felony" (<https://www.legalmatch.com/law-library/article/what-is-a-felony.html>)

<sup>11</sup> The Sentencing Project. 2016. "Felon Disenfranchisement." *The Sentencing Project*, October 6. Retrieved January 14 (<https://www.sentencingproject.org/issues/felony-disenfranchisement/>)

<sup>12</sup> Miller, Bryan and Joseph Spillane. 2012. "Civil Death: An Examination of Ex-Felon Disenfranchisement and Reintegration."

<sup>13</sup> Worldometers. "Countries in the world by population (2017)" (<http://www.worldometers.info/world-population/population-by-country/>)

<sup>14</sup> Aviram, Hadar, Allyson Bragg, and Chelsea Lewis. 2017. "Felon Disenfranchisement"

<sup>15</sup> The Sentencing Project. 2016. "Felon Disenfranchisement."

a country that has the highest incarceration rate of any modern democratic nation, laws that prevent prisoners from voting also imprison American democracy.<sup>16</sup>

Within the country, there is a huge amount of state variation in who has the right to vote. In 10 states including Florida, Kentucky, and Iowa – ex felons may lose their voting rights permanently.<sup>17</sup> While, the other 40 states vary in severity. There are only 2 states in the entire national that don't restrict voting rights and allow felons to vote from prison.<sup>18</sup> These states are Maine and Vermont – whose White population happens to be over 90%.<sup>19</sup>

## Social Scientific Research

While doing some research on the topic, I found that in 2012, sociologists conducted a study examining ex-felon disenfranchisement and reintegration.<sup>20</sup> Their study focused on the state of Florida where upon conviction, felons forfeit their right to: vote, serve on a jury, and run for elected office regardless if they are sentenced to incarceration, probation, or released into the community.<sup>21</sup> Their study discusses the impact the loss of one's civil right has on successful reintegration. Given the existing obstacles these individuals face – including employment, housing, and social support – the lose of their civil rights increases the exclusion and animosity they experience.<sup>22</sup>

## Ex-Felon's Perspectives

Today we're going to get a glimpse into the lives of these ex-felons and hear first hand what it's like to be an ex-felon, with no voting rights, in the United States. We'll be hearing from Desmond Meade, Angel Sanchez, and Jessica Chiaponne.

First, we'll hear their experience of being convicted and why they lost their right to vote...

**\*Audio Clips** – Desmond → Angel → Jessica...music...Angel → Jessica → Desmond<sup>23</sup>

These clips humanize felons as we hear about the life experiences that led them to being convicted. Some commonalities between the three ex-felons include being 'at-risk' youth, being surrounded by violence, exposure to drugs, and feeling stuck/vulnerable.

When did they actually realize that they lost their right to vote?

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<sup>16</sup> Nelson. 2016. "Felon Disenfranchisement Is Anti-Democratic."

<sup>17</sup> ProCon. 2017. "State Felon Voting Laws." Retrieved January 24, 2018 (<https://felonvoting.procon.org/view.resource.php?resourceID=000286>).

<sup>18</sup> ProCon. 2017. "State Felon Voting Laws."

<sup>19</sup> The Sentencing Project. 2016. "Felon Disenfranchisement."

<sup>20</sup> Miller, Bryan and Joseph Spillane. 2012. "Civil Death: An Examination of Ex-Felon Disenfranchisement and Reintegration."

Miller, Bryan and Laura E. Agnich. 2016. "Unpaid Debt to Society: Exploring How Ex-Felons View Restrictions on Voting Rights After the Completion of Their Sentence."

<sup>21</sup> Miller, Bryan and Joseph Spillane. 2012. "Civil Death."

Miller, Bryan and Laura E. Agnich. 2016. "Unpaid Debt to Society."

<sup>22</sup> Miller, Bryan and Joseph Spillane. 2012. "Civil Death."

Miller, Bryan and Laura E. Agnich. 2016. "Unpaid Debt to Society."

<sup>23</sup> "Florida's Disenfranchised: Voices of the 1.7 Million not Allowed to Vote | US Elections 2016" (<https://www.youtube.com/watch?v=IN92WJnB700>)

\*Audio Clips – Desmond → Angel → Jessica<sup>24</sup>

They were all unaware that they had lost their voting rights or that their rights needed to be restored.

Where are Desmond, Angel, and Jessica now?

\*Audio Clips – Desmond → Angel → Jessica<sup>25</sup>

Desmond discusses dedicating his life to restoring voting rights for all ex-felons and his journey of graduating from college, attending law school, and obtaining his JD. Angel shares his dream of becoming an attorney one day and advocating for the underdog. Jessica discusses how her goal of becoming a public defender is dependent on the restoration of her rights (in order to sit for the Bar). To hear how these individuals have overcome adversity and are determined to advocate and fight for the rights of others allows listeners to sympathize and connect with them.

The next series of clips will be discussing the significance of having the right to vote in America and what that means to each of them...

\*Audio Clips – Angel → Desmond → Jessica<sup>26</sup>

As intended by this podcast, Angel says that someone's stigma and fear about another person usually erode when they begin to know that person. As an ex-felon, Angel intends to be that person. Desmond says that when someone is denied the right to vote, they become a second-class citizen. While, disenfranchisement diminishes the political voice of minority communities, particularly the African-American community. He gives the example of these people not being able to put a political official into office or take them out, resulting in them not caring about the members of that community. Jessica discusses the thousands of people who still don't have the right to vote, including their limitations on housing and employment. They express the exclusion and loss of autonomy they experience as a result of losing their voting rights. The series of clips end with Desmond's emotional account of what having the right to vote means. In the audio clip, Desmond sheds tears as he says, "by voting, you truly experience what it means to be an American citizen". This clip ends with him saying that "too many people have died and sacrificed for us to have the right to vote, for a handful of politicians to continue to deny us of that".

## Final Remarks & The Challenge

The loss of voting rights for millions of people impacts current offenders, ex-felons, the state, and ultimately the political makeup of the United States, including future legislation and policies, which impact the globe.

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<sup>24</sup> "Florida's Disenfranchised: Voices of the 1.7 Million not Allowed to Vote | US Elections 2016" (<https://www.youtube.com/watch?v=IN92WJnB700>)

<sup>25</sup> "Florida's Disenfranchised: Voices of the 1.7 Million not Allowed to Vote | US Elections 2016" (<https://www.youtube.com/watch?v=IN92WJnB700>)

<sup>26</sup> "Florida's Disenfranchised: Voices of the 1.7 Million not Allowed to Vote | US Elections 2016" (<https://www.youtube.com/watch?v=IN92WJnB700>)  
"Florida Felons Stripped of Voting Rights" (<https://www.youtube.com/watch?v=m40BKBfMjmw>)

There are currently millions of people just like Desmond, Angel and Jessica across the United States who are waiting for their voting rights. But change has begun. Change happened in Virginia when Virginia governor advocated for the rights of ex-felons by signing an executive order to restore voting rights for more than 200,000 convicted felons after they were released from prison. States and their representatives – like Governor McAuliffe in Virginia – need to step up and restore democracy.

If this episode has challenged you or your assumptions about felons, I challenge you to confront lawmakers and existing state-based legislation.

Desmond Meade, who is a father of 5 and recent law-school graduate, is also the President of the Florida Rights Restoration Coalition (FFRC). If you're in the state of Florida, you can download and sign the referendums. Other states also have similar referendums. And if you're a happy Canadian like me, just like when there is any injustice in the world – speak up, create dialogue, and support our neighbours in their fight for their rights.

I'm Aqsa Bhatti and this is the LAW-GIC podcast!

\*Background Music – “Bad Dream” (Serial Podcast theme song)<sup>27</sup>

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<sup>27</sup> "Serial Main Theme – 'Bad Dream'" (<https://www.youtube.com/watch?v=M0v6dmme1DU>)

(<https://www.sentencingproject.org/issues/felony-disenfranchisement/>)

Worldometers. "Countries in the world by population (2017)"

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### Audio Clips

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Miami Rights | May 10, 2017 Act 3 | Full Frontal on TBS,

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The Case for Letting Convicted Felons Vote, <https://www.youtube.com/watch?v=qjrpli4zVec>

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