

**Political and Demographic Explanations  
of Felon Disenfranchisement Policies  
in the States**

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## **Abstract**

*Nearly 5 million Americans are currently deprived of the right to vote as a result of state laws which prohibit voting by felons and ex-felons. With the exception of Maine and Vermont, every state denies incarcerated individuals the right to vote, 30 states deny felons on probation or parole the right to vote, and in 12 states felons are permanently banned from voting (Sentencing Project 2004). This research explores the political and demographic factors that influence the probability of a state adopting more or less stringent laws regarding a felon's right to vote.*

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# **Political and Demographic Explanations of Felon Disenfranchisement Policies in the States**

## **Introduction**

Over the last four decades, state legislatures have adopted substantial changes in felon disenfranchisement policies, with some states reducing restrictions and others adopting more restrictive policies. Given the number of individuals adversely affected by disenfranchisement policies throughout the country, the impact of these laws could have a significant influence on national and state election outcomes (Uggen and Manza 2002). But the question of how and why these laws have changed in the states remains somewhat enigmatic. Our research examines several theoretically significant factors on the probability of a state adopting more or less restrictive felony disenfranchisement policy. Specifically, our model examines the internal characteristics in the scope of felon disenfranchisement policy along two substantive areas: 1) POLITICAL (government and citizen ideology, party competition, and political culture) and (2) DEMOGRAPHIC (size of prison population, size of minority population, proportion of population over 65, average state education level, and urbanization). Ultimately, the results of our analysis allow us to sort the relative importance of each of these forces on the probability of each state deciding whether or not to expand or limit felony enfranchisement. More broadly, the results of our analysis advance our understanding of how political and demographic characteristics determine state policy.

## **Implications of Felony Disenfranchisement Policy**

The construct *felon disenfranchisement* may appear pejorative in the sense we are using a term that suggests that a portion of the population has been deprived of their rights. It is not our intent to make normative judgments about this term, but we do

nonetheless take the term for what it is—a description of policies in the states that remove the Constitutionally guaranteed process of participatory governance via the vote. Our purpose is to explain the scope of these policies in the states, which have the potential to influence election outcomes. Uggen and Manza (2002), for example, recently found felon disenfranchisement policies have significantly altered U.S. Senate election results and may have influenced presidential elections as well.

Would disenfranchised individuals cast ballots differently, when compared to the general population, if their suffrage rights were reinstated? Demographic data suggest that since the prison population is not representative of the population at large, nor of those who turnout on election day, election patterns would vary depending on the level of disenfranchisement. The prison population has a disproportionate number of minorities, uneducated, and poor compared to the general population (Irwin, 1970, Schmallerger, 2005). While the 2000 U.S. Census reports that non-white population in the United States is fewer than 20 percent of the total, ethnic and racial minorities account for two thirds of the prison population (Sentencing Project, 2004; see also Kennedy 1997; Mauer 1999). Given these disparities, the restoration of felons' voting rights could have a profound impact on election outcomes, and it might result in the election of politicians sympathetic to the concerns of this group.

Given that the prison population is not demographically constant across states, and is not representative of the general population, this is the ideal venue in which to study the factors accounting for disenfranchisement laws.<sup>1</sup> Even if the prison populations did not vary across states, the demographic differences compared to the general population could theoretically influence close local, state, or national election results

(Uggen and Manza 2002). Many disenfranchised voters are Democrats, and as Uggen and Manza (2002) note, Al Gore would have likely beaten George Bush in 2000 had any of a number of disenfranchised groups had the right to vote in that election, not to mention numerous competitive elections at lower levels of government. Clearly, by depriving approximately 2.4 million people of their right to vote, election outcomes are impacted. Currently, forty-eight states prevent felons from voting, but variation exists in the extent to which former felons may regain their voting rights (Sentencing Project 2004). States often serve as laboratories for democracy, and there are a host of political and demographic factors that account for the variation in policy outputs on this issue.

Criminal sanctions are highly political and are often debated by politicians, the public, and the media. Political pressures come from a number of sources that influence the scope of felony disenfranchisement policies. For example, many people perceive that the public and government may want a “get tough on crime” approach in dealing with convicted felons post incarceration. However, research shows a fundamental disconnect between what individual citizens view as appropriate punishment versus the policy of punitive retribution politicians espouse under the rubric “get tough on crime.”<sup>2</sup>

Despite these influences, felon disenfranchisement policies have a critical difference from other criminal justice policies. While issues like the length of a sentence or the conviction rate of a prosecutor are highly salient, particularly during elections, the difficulty by which a state makes reinstating a felon’s voting privileges is likely to be of lesser concern to the public. The public likely pays more attention to punishment and may have little concern about the voting rights of ex-felons. Therefore, public opinion may be relatively muted in influencing the scope of these policies.

Influences on disenfranchisement policies vary depending on salience, and as such, states with a greater percentage of felons in their populations will find the issue comparatively more prominent. It is a matter of exposure whereby a large prison population garners more media attention about the issue. This could likely result in a louder outcry for tougher policies that deal with former felons. Moreover, the composition of the prison population within a state could influence the scope of felon voter restoration rights. Higher minority populations could illicit latent racist attitudes against the prison population. On the other hand, states with a greater number of minorities may be increasingly sensitive to the inflated minority prison population, thus, states with a greater number of minorities may find that the issue is more salient than in states with fewer minorities.

Walker (1969) noted that state characteristics like wealth, inter-party competition, legislative professionalism, and percentage of urban population were indicators of the likely adoption of policy innovations. However, Gray (1973) noted that simply because one state adopts a given policy does not mean that the state will demonstrate innovativeness on every policy area. Felony disenfranchisement policies should be no exception to this observation for reasons outlined earlier in this manuscript. We address the specific internal characteristics relevant to this study in the section below.

### **Political Characteristics**

State policies often reflect a host of political characteristics. In the 1988 presidential election, George Bush's political campaign portrayed Michael Dukakis as a Massachusetts liberal who was soft on crime. Whether the Willie Horton ad was a fair portrayal of the Democratic nominee is not the point, rather, perceptions of the public

have profound political consequences on elections and policy outcomes. Thus, politicians are responsive to public opinion both electorally and in the public policies that are produced (Stimson, MacKuen, and Erikson 1995). Numerous scholars have examined the political influences on public policy in the states. Erikson, Wright, and McIver's (1993) examination of policy liberalism provides a great deal of insight into the effects of public opinion on policy. The expectation for the influence of public opinion on felon disenfranchisement policy is a fairly intuitive relationship: public opinion liberalism (conservative or liberal) drives the election of candidates reflecting constituent views, and these elected officials produce policies consistent with the preferences of the people they represent.

Moreover, a state's political culture should also affect felon disenfranchisement policies. Elazar (1984) noted that *moralistic* subcultures, sometimes found in northeastern states, have a positive view of government, and citizens are expected to participate in politics. We believe that *moralistic* subcultures should more likely favor the restoration of voting rights for convicted felons than *individualistic* or *traditionalistic* states because this culture puts a premium on political participation. *Traditionalistic* subcultures, on the other hand, favor little government activity to solve problems, and at the very least, these cultures would not make it a priority to restore voting right to felons.

The first President Bush's claim that his Democratic challenger was soft on crime fits into a general characterization of party differences when it comes to criminal justice policies. Thus, partisan politics should also affect felon disenfranchisement policy where "red states" are predicted to have high stringency in disenfranchisement policies, while "blue states" should be less restrictive. Again, this fits into the conventional wisdom that

Republicans are tough on crime and punishment issues. The relationship, however, is likely not this straightforward because not all Democrats are soft on crime, particularly those who are from the South, those who are moderates, or those who are conservatives. For example, Erikson, Wright, and McIver (1993) observed a lack of correlation between partisanship and ideology due to the inclusion of the southern states. Electoral competition, thus, becomes a motivating factor in predicting stricter felon disenfranchisement policies in the states (Stucky, Heimer, and Lang 2005). Regardless of party affiliation, we expect that politicians will more likely push for harsher policies when electoral competition is greater. It is a simple matter of wishing to appear tough on crime, regardless of the actual implications of these policies.

### **Demographic Characteristics**

The relative size of the prison population in a state should influence the adoption and scope of criminal justice policies. Larger prison populations bring greater salience to crime and punishment issues, harsher sentences, and greater restriction upon sentence completion, largely due to pressures from politicians and the public. A state with fewer per capita prisoners may be less likely to adopt harsh criminal justice policies, and they should be less likely to make any changes to existing laws, particularly in increasing the stringency of their laws dealing with the voting rights of felons. Concomitantly, there is likely interaction among interest organization mobilization and larger prison populations, whereby interests are more likely to influence policies when there are a greater number of prisoners in the state. It is simply a matter of garnering greater attention for the issue.<sup>3</sup>

In many respects, the minority population in a state should influence criminal justice policies for similar reasons to the discussion above. Minorities make up a

disproportionate segment of the prison population, and states with a greater number of prisoners may adopt felony disenfranchisement policies with broader ranging scope. Whether eliciting latent racist attitudes or simply bringing greater attention to the size of the prison population, we should expect the state to respond to the demographic characteristics of its prisoners. For advocates of harsher criminal justice policies, a greater number of minorities in prison may facilitate certain interest influence over such policies. However, prisoner advocate organizations may be able to counter this influence in states with a greater number of minorities in the population because they are able to take advantage of the claimed inequities in the composition of the prison population.

Polling data suggest that America's seniors are more likely to fear violent crime than other age groups in the population (National Institute of Justice, 2000). Given the political clout of organizations like AARP, we would expect them to exert pressure for stricter felon disenfranchisement policy. (Membership in this organization is related to the number of seniors in a given state, so it is excluded due to multicollinearity.) The interesting issue here is that organizations that overcome collective action problems have the ability to make themselves heard and have the potential to influence public policy (Olson 1956). Therefore, it is likely that states with a greater percentage of the population that is over 65 will more likely favor harsher criminal justice policies than states with fewer seniors.

Numerous scholars have examined the influence of education levels on political participation (Miller and Shanks 1996; 1995; Powell 1986). Jackson (1995) notes that those with higher levels of education feel greater civic duty, have higher levels of efficacy, and are more likely politically sophisticated. Those with higher levels of

education may believe that participation is an important aspect of democracy and have fewer problems with returning voting privileges to former felons. Thus, we expect higher levels of education to result in more lenient felon disenfranchisement policies.

### **Design**

In order to examine the scope of felon disenfranchisement policies in the states we use ordered Logistical regression. States can prevent felons from voting in several different ways. We examine data provided by the Sentencing Project (2004) that divided state disenfranchisement laws into categories depending on whether the states deprive felons of their voting right in prison, on probation, or when they are paroled. Employing this data, we structure an index of felon disenfranchisement with each state coded as “0” if it does not deprive felons of their voting privileges for the specified category and “1” if they do. Utilizing each of the categories to create our disenfranchisement index creates a dependent variable which ranges from 0 to 3, with a mean of 2.28 and a standard deviation of 0.99.<sup>4</sup> Higher values, therefore, reflect stricter policies.

The independent variables include political and demographic, state characteristics. Where available, we attempt to use an average measure over a given time period of each variable in order to precede the current state law.<sup>5</sup> This is most appropriate since many laws require a number of years to make it through the policy process, and a single year’s level of party competition (for example) might not accurately capture the influences on current legislation. The political variables include party competition, citizen ideology, and political culture. For party competition, we use a Ranney party competition index (Bibby and Holbrook 1999) averaged from 1995 to 1998. We expect greater levels of party competition to result in a greater probability of more stringent felon

disenfranchisement policy. The measure ranged from 0.699 to 0.993 with a mean of 0.861 and standard deviation of 0.087.

Citizen ideology and political culture are related such that there are usually a greater number of liberal citizens in states with *moralistic* subcultures and more conservative citizens in subcultures that are considered *traditionalistic*. We use Koven and Mausolf's (2002) update of Sharkansky's (1969) nine point categorization of Elazar's (1984) state political cultures. We expect states with *individualistic* and *traditionalistic* subcultures to have stricter disenfranchisement policies than those with *moralistic* subcultures. For citizen ideology, we use Erikson, Wright, and McIver's updated measure from their widely-cited *Statehouse Democracy* (1993).<sup>6</sup> Again, states with conservative citizens should favor stricter disenfranchisement policies than states with liberal citizens, though we expect a small effect.

Our demographic independent variables include the state incarceration rate, the percentage of the population that is over 65 years old, the percentage of the population that is non-white, the percentage of the population that has graduated from college, and the percentage of the population in urban areas. Data for the incarceration rate were obtained from *CQ's State Fact Finder* (Hovey and Hovey 2005), and data for the percentage of the population over 65 were obtained from the 2000 U.S. Census. In both cases, we expect higher rates of incarceration and a greater number of seniors to result in stricter disenfranchisement policies. The incarceration rate ranged from 149 to 801 (per 100,000 population) with a mean of 396 and standard deviation of 148.87. The percentage of the population over 65 ranged from 6.3 to 17 with a mean of 12.5 and standard deviation of 1.79. All remaining demographic variables were obtained from the

2000 U.S. Census. The percentage of non-whites in the population ranged from 3 percent in Maine to 40 percent in California with a mean of 19.9 and standard deviation of 10.3. The percentage of college graduates ranged from 14.8 to 33.2 and had a mean of 23.8 and standard deviation of 4.28. Higher educated states are expected to have less stringent disenfranchisement policies. The percentage of urban population ranged from 38.2 to 94.5 with a mean of 71.7 and a standard deviation of 14.9.

Finally, we recognize there is a potential temporal problem in our analysis. While the data we employ in our reported models represent the most recent 2000 decennial census data and the most recent political characteristics and incarceration rates, the policies which we are examining may have been adopted at any time over the past few decades. In light of this potential weakness, we replicated our analyses with demographic data from the last three decennial census reports and moving averages of our key political variables and incarceration rates. The results of these supplementary analyses indicate temporal issues do not influence the reliability of our reported results. Specifically, each of the supplemental analyses produces almost identical results to those reported. While the additional analyses show slight variation in the coefficients across decades, the same variables remain statistically significant for all models. Ultimately, we conclude the results of our supplementary models confirm the reliability of our analysis despite our initial temporal concerns.

### **Findings**

As previously mentioned, every state except Maine and Vermont prevent prisoners from voting while they are in prison (The Sentencing Project 2004). However, states can also prevent former prisoners from voting while they are on probation, and this

is the case for 31 out of 50 states. Currently, California, Colorado, Connecticut, Hawaii, Illinois, Indiana, Maine, Massachusetts, and Michigan are just some of the states that allow felons to vote while on probation (see Table 1). Thirty five states prevent felons from voting while on parole. With the exception of California, Colorado, Connecticut, and New York, all states that allow felons to vote while on probation also allow them to vote while on parole; these four states do not. Table A1 in the appendix shows the restrictiveness of the states in their felon disenfranchisement policies. The majority of states (31) have what we call the most restrictive policies, while at the other end of the spectrum are Maine and Vermont, which have the least restrictive policies.

We now turn to the political and demographic factors that explain these policies in the states. Our full model of felon disenfranchisement presented below includes the following variables: (1) Party Competition (2) Citizen Ideology (3) Political Culture (4) Incarceration Rates (5) Minority Population (6) Percent Urban Population (7) Percent Population Above 65, and (8) Percent Population that have graduated from college. The results of our full model are reported below in Table 2, and unfortunately, the results are quite disappointing. Of the eight variables included in our model, only one variable (political culture) attains statistical significance at the 0.05 level.<sup>7</sup> Specifically, we find as the political culture of a state moves away from *moralistic* views and towards more *traditionalistic* views the probability of the state adopting more restrictive felony disenfranchisement policies significantly increase. For instance, holding all other factors at their mean, we find if a state's political culture hypothetically moves from the minimum index score of 1 to the national mean of 4, their probability of adopting the most restrictive felony disenfranchisement polices change from only 0.205 to 0.556.

Clearly this represents a substantial shift in the propensity of a state to adopt more stringent policies. Incidentally, Maine and Vermont, which have the least restrictive policies, are heavily dominated by the *moralistic* subculture (Elazar 1984).

**Table 1**  
**State Voting Provisions for Felons**

State	Allows Voting in Prison	Allows Voting on Probation	Allows Voting on Parole
California	No	<b>Yes</b>	No
Colorado	No	<b>Yes</b>	No
Connecticut	No	<b>Yes</b>	No
Hawaii	No	<b>Yes</b>	<b>Yes</b>
Illinois	No	<b>Yes</b>	<b>Yes</b>
Indiana	No	<b>Yes</b>	<b>Yes</b>
Maine	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>
Massachusetts	No	<b>Yes</b>	<b>Yes</b>
Michigan	No	<b>Yes</b>	<b>Yes</b>
Montana	No	<b>Yes</b>	<b>Yes</b>
New Hampshire	No	<b>Yes</b>	<b>Yes</b>
New York	No	<b>Yes</b>	No
North Dakota	No	<b>Yes</b>	<b>Yes</b>
Ohio	No	<b>Yes</b>	<b>Yes</b>
Oregon	No	<b>Yes</b>	<b>Yes</b>
Pennsylvania	No	<b>Yes</b>	<b>Yes</b>
South Dakota	No	<b>Yes</b>	<b>Yes</b>
Utah	No	<b>Yes</b>	<b>Yes</b>
Vermont	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>
<b>N=</b>	<b>2</b>	<b>19</b>	<b>15</b>

Source: The Sentencing Project. 2004. "Felony Disenfranchisement Laws in the United States."

While our full model clearly indicates culture is a significant and substantive factor in understanding the probability of a state adopting more or less restrictive felony disenfranchisement policy, the overall model is quite weak. Only one of our political variables matters, but none of the demographic variables are predictors of more stringent policies in this area. For example, contrary to the findings of Stucky, Heimer, and Lang (2005), we find no evidence that party competition in a state matters in the scope of this

policy. We argue the weakness of our full model is at least partially due to our small N (there are only 50 states) and the limited degrees of freedom within the model.

Considering these limitations, we present a second model which we argue provides a more parsimonious and reliable test of our hypotheses (see Table 3).

**Table 2**  
**Felon Disenfranchisement Model 1**

	Coefficient	Std. Error	Z-Score
Party Competition	1.267	4.957	0.26
Citizen Ideology	7.064	6.341	1.11
Political Culture*	0.513	0.234	2.19
Incarceration Rate	0.001	0.004	0.24
Minority Population	-0.009	0.064	-0.14
% Urban Population	0.059	0.038	1.57
Population % above 65	-0.035	0.281	-0.12
College Graduates	-0.042	0.124	-0.34
<b>McKelvey and Zavoina's R<sup>2</sup>: 0.503</b>			
<b>Dependent Variable:</b> Disenfranchisement Legislation			
<b>* = &lt;.05, ** = &lt; .01</b>			

Model is estimated using ordered Logit regression.

Our second model regresses the variable for felon disenfranchisement policy on political culture, citizen ideology, the percentage of urban population, and the incarceration rate. The results of this model moderately improve upon our original model of felon disenfranchisement. First, of the political explanations, we find political culture remains the most significant and substantial factor in understanding policy variation. Clearly, as the political culture of a state moves away from a *moralistic* view to a more *traditionalistic* view, their likelihood of adopting more restrictive felony disenfranchisements policies increase significantly. In line with political culture, we also find the ideology of a state's citizenry has a significant impact on disenfranchisement policy. As hypothesized, we find more conservative states are significantly more likely

to adopt more restrictive disenfranchisement policies, even including political culture in the model. Turning to demographics, the percent of a state’s population which resides in urban areas is also significantly correlated with the adoption of policy disenfranchisement. Specifically, our results indicate more urban states are more likely to adopt restrictive disenfranchisement policies. We hypothesize this is likely due to the greater crime problems in urban areas than in rural communities. Finally, our model indicates that incarceration rates do not have a significant impact on the probability of a state expanding or limiting felony enfranchisement. This is quite surprising, since we might expect that states with a larger prison population to have more stringent policies. On the other hand, it is likely that these policies do not reflect a substantial “get tough on crime approach,” and lawmakers probably spend more time strengthening sentences than worrying about whether ex-felons can vote.

**Table 3**  
**Felon Disenfranchisement Model 2**

	Coefficient	Std. Error	Z-Score
Political Culture**	0.521**	0.194	2.68
Citizen Ideology*	7.651*	4.609	1.66
% Urban Population*	0.055*	0.029	1.90
Incarceration Rate	0.001	0.004	0.28
<b>Dependent Variable:</b> Disenfranchisement Legislation			
<b>McKelvey and Zavoina’s R<sup>2</sup>:</b> 0.503			
<b>* = &lt;.05, ** = &lt; .01</b>			

Model is estimated using ordered Logit regression

While the above discussion provides a review of the general influence of each factor on a state’s likelihood of adopting more or less restrictive enfranchisement policies, further analyses are needed to understand the relative impact of each of these factors. In order to exhibit the relative impact of each of the significant factors in our second model, we examine the impact of a quartile change in each variable on the

probability of a state adopting the most restrictive felon disenfranchisement policy. As in our full model, we find political culture has the most substantive impact on the probability of a state adopting more or less stringent felon disenfranchisement policy. Specifically, holding all other factors at their mean we find a change in a state's political culture score from the first quartile (2.37) to the median (4.14) increases their probability of adopting the most restrictive felon disenfranchisement policies from 0.211 to 0.683. This represents a sizeable change in probability of 0.472. Clearly, this represents a substantial increase in the probability of policy adoption. In comparison, when we examine a similar hypothetical change in a state's ideology from the first quartile (0.078) to the median (0.149), we find a modest change in probability of 0.126. Likewise, a quartile change in a state's urban population produces a 0.144 increase in the probability of a state adopting the most stringent disenfranchisement policy.

### **Conclusion**

Overall we find that a state's political culture is the most important factor in understanding felon disenfranchisement policies. As our discussion indicates, even slight changes in a state's political culture have a substantial impact on their probability of adopting more or less restrictive felon disenfranchisement policies. In addition to political culture, the ideology of a state's government is important (to a lesser extent) in understanding their propensity to adopt more or less stringent policies. These reflect political characteristics of the population in a given state. Demographic explanations, however, play a lesser role, though urban states do tend to have more restrictive felon disenfranchisement policies. Surprisingly, the number of felons currently incarcerated is not related to the removal or restoration of their voting rights. For this narrow policy, the

conventional wisdom that a larger number of prisoners, older populations, more minorities, and well educated individuals influence the policies is more myth than reality.<sup>8</sup>

Ultimately, it is likely that additional political pressures may influence criminal justice policies in the states, and felony disenfranchisement laws are no exception. We already discussed several political characteristics in a state that may influence these policies, but some interests may actually promote adoption of or creation of harsher felony disenfranchisement laws, while others may counter them by advocating on behalf of prisoners. Accordingly, interests should have an important influence on the extent to which a state limits former felons from voting. Though felons do not mobilize in a similar fashion compared to the general population due to limits on assembly, the freedom to contact officials at will, or monetary or other resource constraints, they may benefit from external organizations that attempt to influence policy on their behalf. However, counter-mobilization by opposing groups may serve to shift public policy in the other direction. Thus, we would expect to see organized law enforcement, victim's rights, or other organizations advocating stricter criminal justice policies in the states. This is an important consideration for future research. The relevance of voting rights for ex-felons in terms of broader punitive issues is debatable, however.

Though some political and demographic influences do matter in predicting the stringency of these policies, the substantive impact is far from overwhelming. This is an emotional topic, but it impacts a group of voters that have little public support and political power. For those concerned with democratic principles, this is precisely why the topic deserves further attention. It is also an important issue given the potential that these

laws have in influencing election results (Uggen and Manza 2002). Whether these laws systematically influence elections is certainly worthy of additional attention, particularly if these laws are altered for partisan purposes.

## Appendix

**Table A1**  
**Degree of Restrictiveness of Felon Disenfranchisement Policy**

Most Restrictive	Moderately Restrictive	Somewhat Restrictive	Least Restrictive	
Alabama	California	Hawaii	Maine	
Alaska	Colorado	Illinois	Vermont	
Arizona	Connecticut	Indiana		
Arkansas	New York	Massachusetts		
Delaware		Michigan		
Florida		Montana		
Georgia		New Hampshire		
Idaho		North Dakota		
Iowa		Ohio		
Kansas		Oregon		
Kentucky		Pennsylvania		
Louisiana		South Dakota		
Maryland		Utah		
Minnesota				
Mississippi				
Missouri				
Nebraska				
Nevada				
New Jersey				
New Mexico				
North Carolina				
Oklahoma				
Rhode Island				
South Carolina				
Tennessee				
Texas				
Virginia				
Washington				
West Virginia				
Wisconsin				
Wyoming				
N	31	4	13	2

Source: The Sentencing Project. 2004. "Felony Disenfranchisement Laws in the United States."

## References

- Bibby, John F. and Thomas M. Holbrook. 1999. "Parties and Elections." In Virginia Gray, Russell L. Hanson, and Herbert Jacob, eds., *Politics in the American States: A Comparative Analysis*. Washington, D.C.:CQ Press.
- Elazar, Daniel J. 1984. *American Federalism: A View from the States*. New York: Harper and Row.
- Erikson, Robert S. Gerald C. Wright and John P. McIver. 1993. *Statehouse Democracy: Public Opinion and Policy in the American States*. New York: Cambridge Press.
- Gray, Virginia. 1973. "Innovation in the States: A Diffusion Study." *American Political Science Review* 67: 1174-1185.
- Hovey, Kendra A. and Harold A. Hovey. 2005. *CQ's State Fact Finder 2005*. Washington D.C.: CQ Press.
- Irwin, John. 1970. *The Felon*. Englewood Cliffs, NJ: Prentice Hall.
- \_\_\_\_\_. 2005. *The Warehouse Prison: Disposal of the New Dangerous Class*. Los Angeles, CA: Roxbury Publishing.
- Jacobs, David and Ronald E Helms. 1996. "Toward a Political Model of Incarceration: A Time-Series Examination of Multiple Explanations of Prison Admission Rates." *American Journal of Sociology*. 102:323-357.
- Kennedy, Randall. 1997. *Race, Crime, and the Law*. New York: Pantheon.
- Koven, S. G. and C. Mausolff. 2002. "The Influence of State Political Culture on State Budgets: Another Look at Elazar's Formulation." *American Review of Public Administration*. 32:66-77.
- Mauer, Marc. 1999. *Race to Incarcerate*. New York: New Press.
- Miller, Warren E. and J. Merrill Shanks. 1996. *The New American Voter*. Cambridge: Harvard University Press.
- Murphy, Daniel S. 2003. The Prison Population Binge. *The Blanket*. August 3, 2003. [International Journal found at: [lark.phoblacht.net/prisonpopulation.html](http://lark.phoblacht.net/prisonpopulation.html)].
- National Institute of Justice. 2002. online at: [nij.org](http://nij.org).

- Olson, Mancur. 1965. *The Logic of Collective Action: Public Goods and the Theory of Groups*. Cambridge: Harvard university Press.
- Powell, Bingham G. 1986. "American Voter Turnout In Comparative Perspective." *American Political Science Review* 80: 17-43.
- Radcliff, Benjamin and Martin Saiz. 1998. "Labor Organization and Public Policy in the American States." *The Journal of Politics* 60(1):113-125.
- Schmallegger, Frank. 2005. *Criminal Justice Today (Eight Ed.)*. Upper Saddle River, NJ: Pearson.
- Sentencing Project. 2004. "Felony Disenfranchisement Laws in the United States."
- Sharkansky, Ira. 1969. "The Utility of Elazar's Political Culture." *Polity*. 2:66-83.
- Stimson, James A., Michael B. MacKuen, and Robert S. Erikson. 1995. "Dynamic Representation." *American Political Science Review*. 89:543-565.
- Stucky, Thomas D., Karen Heimer, and Joseph B. Lang. 2005. "Partisan Politics, Electoral Competition and Imprisonment: An Analysis of States Over Time." *Criminology*. 43:211-247.
- Uggen, Christopher and Jeff Manza. 2002. "Democratic Contraction? Political Consequences of Felon Disenfranchisement in the United States." *American Sociological Review*. 67:777-803.
- Walker, Jack L. 1969. "The Diffusion of Innovations Among the American States." *American Political Science Review*. 63:880-899.

## Notes

<sup>1</sup> Whereas there is demographic variation across time and space, certain variables remain relatively stable. These include education, race, and lack of social capital.

<sup>2</sup> See Dan Jones Survey, Utah, 2003, [www.sltrib.com/opinion/ci\\_2562337](http://www.sltrib.com/opinion/ci_2562337).

<sup>3</sup> Prisoners are counted for census purposes in the state where the prison is located, rather than their home state if transferred to another state. This has major ramifications in qualifying for state and federal aid. However, in terms of where state prisoners are incarcerated, by far the vast majority are "housed" in their home state. Thus, for the purpose of this study, we examine the number of prisoners in each state only.

<sup>4</sup> These three categories are reliable indicators of the extent to which states disenfranchise felons and ex-felons. The Chronbach's alpha for the three categories was 0.75, indicating that the three categories appear to make up a broader concept of overall

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disenfranchisement. Confirmatory factor analysis suggests that there is indeed a single factor, and there was little evidence of the presence of multiple factors.

<sup>5</sup> Since many states have altered their laws numerous times over the years, this has been particularly problematic. We address this further at the end of this section.

<sup>6</sup> See Gerald Wright's website at: <http://mypage.iu.edu/~wright1/>

<sup>7</sup> As noted above, this also remained consistent across all of the supplemental analyses.

<sup>8</sup> In an analysis not shown, the crime rate had no effect on these policies.