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A Legacy of Exclusion: How Felon Disenfranchisement Affects Patterns of Civic  
Engagement in Ex-Felony Offenders

A Dissertation submitted in partial satisfaction  
of the requirements for the degree of

Doctor of Philosophy

in

Political Science

by

David Scott McCahon

June 2015

Dissertation Committee:

Dr. Martin Johnson, Co-Chairperson  
Dr. Shaun Bowler, Co-Chairperson  
Dr. Kevin Esterling

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2015

The Dissertation of David Scott McCahon is approved:

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University of California, Riverside

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## ABSTRACT OF THE DISSERTATION

A Legacy of Exclusion: How Felon Disenfranchisement Affects Patterns of Civic Engagement in Ex-Felony Offenders

by

David Scott McCahon

Doctor of Philosophy, Graduate Program in Political Science  
University of California, Riverside, June 2015  
Dr. Martin Johnson Co-Chairperson  
Dr. Shaun Bowler Co-Chairperson

Laws banning criminal offenders from voting have existed in the United States for more than two centuries. While a legacy of felon exclusion remains in the United States, the proportion of criminal offenders formally excluded from voting has decreased over time. Though many ex-offenders are eligible to vote, voter turnout amongst ex-felony offenders is exceptionally low. Existing scholarship has recognized criminal convictions and subsequent incarceration, as factors that explain the dismal levels of voter turnout demonstrated by ex-criminal offenders. In this dissertation, I alternatively argue that misinformation surrounding offender voting rights, and stigma associated with the “convicted felon” label negatively influence levels of political involvement amongst former felons. I conclude by arguing in favor of civic reeducation programs that inform ex-offenders of their rights and that may assist them reintegrate back into society.

Mixed research methods were used to gather and analyze data in this dissertation. Research methods used include in-depth interviews, quasi-experimental methods, a survey and an experiment. This methodological approach was used to evaluate the extent of misinformation amongst ex-felons regarding their voting rights, and to estimate the causal effect of educating ex-offenders of their voting rights on levels of interest in government and civic engagement. I find that nearly half of eligible to vote, ex-felony offenders wrongly believe that they are disenfranchised. Further, I find that informing ex-felons of their voting rights increases personal knowledge of voting rights, desire to participate in upcoming elections and overall interest in politics and public affairs. This dissertation makes a theoretical contribution to existing literature on the topic of felon disenfranchisement and is essential reading for policy makers, criminal justice professionals and organizations interested in issues related to prisoner reentry.

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## Introduction

Individuals convicted of felony offenses have historically been deprived of many rights citizens of democracies cherish, such as the right to vote. The practice of banning individuals convicted of serious crimes from exercising rights that accompany citizenship dates back to ancient Greece 1100 BC-400 BC. In Ancient Greece, individuals convicted of committing serious crimes were given the status of atimia (without honor) and barred from participating in government elections (Manza and Uggen 2006). The practice of restricting rights from those convicted of committing serious criminal offenses became known as “civil death” and eventually spread to medieval Europe, the British Colonies and the United States (Parkes 2003).

The practice of “civil death” continues in the United States, however, rights restrictions for ex-offenders vary by state and are often complex. Ewald’s (2005) examination of the implementation of felon disenfranchisement laws during elections revealed that variation in disenfranchisement laws across states, caused confusion for election officials within states, resulting in eligible ex-felons being prevented from voting and ineligible ex-offenders being allowed to vote. Although research has examined election officials understanding of felon disenfranchisement laws, no study has undertaken an in-depth examination of how ex-criminal offenders interpret disenfranchisement laws and further, how their interpretations influence their attitudes towards politics and civic engagement. This dissertation makes a notable contribution to the literature on felon disenfranchisement by beginning to fill this gap.

Existing research in political science and sociology, on the topic of felon disenfranchisement, has focused on understanding the impact of felon disenfranchisement laws on election outcomes (Uggen and Manza 2002, Manza and Uggen 2006, Burch 2007, Burch 2012). While this research has answered many important questions, it has not revealed how felon disenfranchisement laws impact criminal offenders not formally disenfranchised. Research examining the impact of felon disenfranchisement laws on election outcomes, has focused on the approximately 6 million ex-felony offenders removed from the electorate as a result of felon disenfranchisement (Uggen, Shannon and Manza 2012), and ignored the more than 14 million individuals formerly incarcerated in the United States, that are eligible to vote, but fail to do so (Shannon et al. 2011). Contrary to popular belief most states allow ex-felons to vote after a designated period of time has passed, or a petition of voting rights restoration has been approved by state government (The Sentencing Project 2014). While most ex-felons in the U.S. will regain their right to vote, research findings indicate that eligible to vote ex-felons demonstrate dramatically lower levels of voter registration and voter turnout post-conviction as compared to pre-conviction (Burch 2007, Haselswerdt 2009).

Unlike previous research which has attempted to estimate the impact of felon disenfranchisement laws on election outcomes, this dissertation examines how eligible to vote ex-felony offenders think about their voting rights and how their knowledge of voting rights influences their attitudes and behavior. In this dissertation, I pose the following research questions; how do ex-felony offenders interpret their right to vote post-conviction, and are their interpretations correct? How do ex-felony offenders

interpretations of disenfranchisement laws, influence their desire to participate in politics and attitudes towards government? What is the impact of imposed labels such as felon and misdemeanant on voter turnout? And lastly, can ex-felon knowledge of voting rights be heightened through efforts to educate ex-felony offenders?

It is reasonable for a reader of this dissertation to ask, why study the ex-felon population in relation to civic engagement and further, why now? First, the ex-felon population is worthy of study in relation to civic engagement, because it is a population disproportionately composed of minority citizens that traditionally have been underrepresented by government, specifically African Americans and Latinos (Frymer 2010, Alexander 2012). As compared to White males, African American males are six times more likely to have been incarcerated and Latino males are three times more likely to have been incarcerated at some point in their lives (Rosich 2007). Given that African Americans and Latinos are more likely than Whites to be convicted of crimes leading to incarceration, and because criminal convictions negatively influence civic engagement (Weaver and Lerman 2010), researchers need to be able identify the pathways through which criminal convictions impact civic engagement.

Secondly, it is important for policy makers and criminal justice professionals to understand why criminal convictions negatively impact voting, because pro-social activities such as voting have been found to be positively correlated with desistance from crime (Uggen and Manza 2004, Farrall et al. 2014). A primary conclusion reached after reviewing literature examining the relationship between contact with the criminal justice system and civic engagement is that, as contact with the criminal justice system increases

in severity, civic engagement decreases (Burch 2007, Weaver and Lerman 2010). If pro-social activities such as voting reduce offender risk of recidivating as existing research suggests, it is in the best interest of policy makers concerned with public safety to develop policies that reintegrate former offenders back into the political system.

Lastly, it is important to develop an increased understanding how criminal convictions impact civic engagement because the percentage of the U.S. population under correctional control has increased sharply over the past thirty years. For example, in 1980 less than 1% of the U.S. population was under some form of correctional control, by 2012 that number increased to 3% (Uggen, Shannon and Manza 2012). Legislation passed during the 1980's and 1990's at the federal and state levels, that increased sentences for drug offenders and repeat felons contributed to climbing incarceration rates in the U.S. (Alexander 2012). Since 2000 when the U.S. surpassed Russia, the U.S. has incarcerated a greater percentage of its population than any other country in the world (International Center for Prison Studies 2014).

#### Theory: The Convicted Felon Label and Civic Engagement

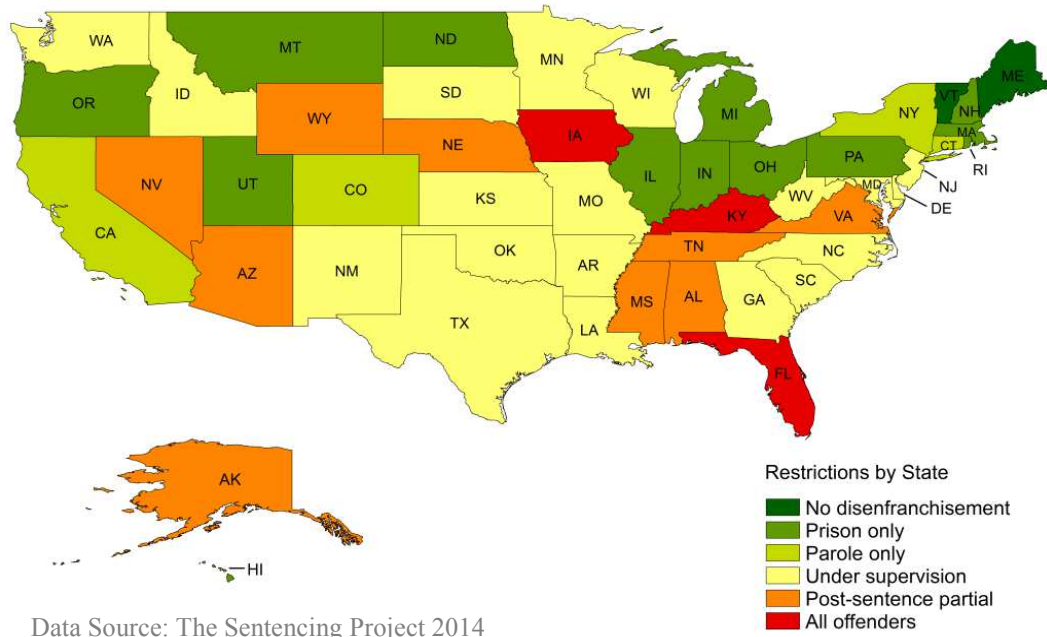
Even after an ex-offender has served a sentence as direct punishment for being convicted of a crime, the infamous label of “convicted felon” follows the ex-offender and marks them as distinct in society. In the United States, many ex-felons are banned from receiving federal student aid, joining the military, serving as jurors, obtaining employment and under many circumstances, denied the right to vote (Chiricos et al. 2007). While some states ban all convicted felons from voting, other states ban none. Most U.S. states however, maintain a complex set of voter eligibility requirements to

identify which former felons are eligible to vote, and which are not. What currently exists in the U.S. has been regarded as a “crazy quilt” of felon disenfranchisement laws and voting rights restoration practices across states (Ewald 2005).

I argue that the complexity of rights restrictions that ex-felons encounter post-conviction, causes confusion amongst ex-felons, that leads many to wrongly believe they are without rights and benefits they often maintain including the right to vote. In order for an ex-felon to be successful in learning about their rights post-conviction, they would need to be highly literate, well versed in reading legislation and technologically proficient, as information regarding rights restrictions is often only made available on the internet. The ex-felon population in general is neither highly literate, nor technologically proficient. It has been estimated that nearly two thirds of ex-felony offenders lack basic literacy skills (Enders, Paterniti & Meyers 2005) and 75% of former felony offenders upon leaving prison, have never used a computer (Amodeo, Jin and Kling 2009). A map illustrating variation in disenfranchisement laws and voting rights restoration practices across states is provided below in figure 1.1.



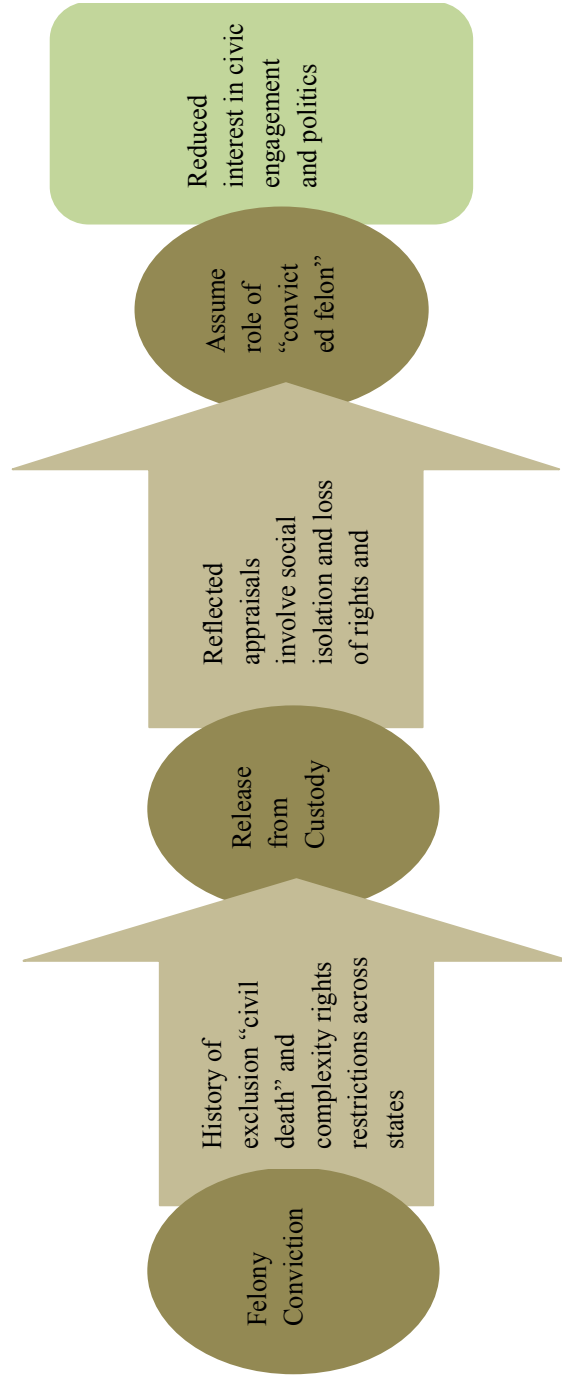
Figure 1.1: Felon Disenfranchisement Laws by State



It is not common practice for officials in the criminal justice system to discuss with defendants how their rights may be impacted by a felony conviction. Overworked public defenders and judges rarely discuss collateral consequences such as felon disenfranchisement with defendants in custody, as the primary objective of the courts is to resolve disputes over sentencing as a result of the accused violating criminal law (Alexander 2012, Chin 2012). Instead of most ex-felons learning about their post-conviction rights during time spent in custody, or upon release, they often succumb to the overwhelming challenges they face during reentry and adopt the stereotypical role of the “convicted felon” that is without rights and socially isolated (Kaplan and Johnson 1991, Zhang 2003).

In this dissertation, I argue that post conviction felon exclusion laws stigmatize ex-felons and create barriers to social and civic reintegration. Consistent with labeling theory, I suggest that ex-felons self image and subsequent behavior is informed by post conviction reflected appraisals (Matsueda 1992, Link and Phelan, 2001). Reflected appraisals are the process through which ex-offenders form their self identity, through messages they receive during interactions with others. For ex-felony offenders, reflected appraisals are based upon interactions they have with potential employers, community members and government officials which often involve rejection in employment, social isolation and indications communicated through disenfranchisement laws and benefits restrictions that they no longer maintain the rights and benefits of citizenship. I argue that felon exclusion laws prevent many eligible to vote ex-felons from engaging in pro-social activities such as voting, because they stigmatize ex-felons, leading them to wrongly believe their status as a “convicted felon” strips them of all the rights and benefits of citizenship. Figure 1.2 below graphically displays the theoretical model put forth and tested in this dissertation.

Figure 1.2: Theoretical Model of How Felony Convictions Influence Interest in Politics and Civic Engagement



## Dissertation Overview

In examining the process through which criminal convictions impact ex-felon civic engagement, I executed a mixed methods research design utilizing both quantitative and qualitative research methods. During the course of my dissertation research, I conducted participant observation at probation department offender reentry facilities, in-depth interviews with recently released ex-felons, a quasi-experimental difference-in-difference analysis to examine the effect of felony convictions on voter turnout and an experiment to estimate the impact of informing voting eligible ex-felons of their right to vote on interest in politics and civic engagement. Provided below is a description of the dissertation chapters that follow.

Chapter 2 discusses the research findings uncovered as a result of participant observation and in-depth interviews I conducted with ex-felony offenders at the Riverside County Day Reporting Center. The Riverside County Day Reporting Center is a transitional reentry facility that offers a variety of rehabilitative classes to ex-felons as they transition from jail or prison back into the community. I spent several months at the Riverside County Day Reporting Center participating in classes with ex-felons and sharing meals with them, in an effort to better understand the mindset of ex-felons during reentry and to begin to identify barriers to post-conviction civic engagement. The findings of the in-depth interviews, presented as quotes in chapter 2, provide insight into how ex-felons think about their rights upon release and how their interpretations of their rights influence their attitudes towards politics and civic engagement.

Chapter 3 tests the hypothesis that independent of punishment severity, felony convictions have an independent and negative effect on voter turnout. This hypothesis is counter to the assumption made in existing scholarship on felon disenfranchisement, which recognizes criminal convictions and subsequent incarceration as the primary mechanisms negatively impacting voter turnout in the ex-offender population (Burch 2007, Gerber et al. forthcoming). In chapter 3, a difference-in-difference model is estimated with a unique data set collected of ex-offenders, to estimate the causal effect of felony, versus misdemeanor convictions on voter turnout. Data used for this analysis was obtained from two sources, the Riverside County Probation Department and the Riverside County Registrar of Voters. The final data set constructed is unique because the sample was limited to only misdemeanor and felony offenders who were not sentenced to jail or prison as a result of their conviction. All offenders included in the data set received the same sentence for their conviction, regardless of offense type (felony or misdemeanor) of one year formal probation in lieu of a jail or prison.

In chapter 4, I provide the results of a survey with embedded experiment conducted with a sample of 195 ex-felony offenders. The sample was limited to ex-felons that successfully remained in the community for one year or more, without violating their probation or being rearrested. Limiting the sample in this manner allowed me to generate a sample of ex-felons that were, at the time of issuing the survey eligible to vote in the state of California. The purpose of the survey was to estimate the proportion of voting eligible ex-felons that wrongly believe they are disenfranchised. The aim of the embedded experiment was to estimate the effect of providing accurate voting

rights information to ex-felony offenders, on their knowledge of voting rights, trust in government, likelihood of voting in upcoming elections, interest in politics and general interest in public affairs.

In chapter 5 I summarize the primary research findings from this dissertation and explain how these findings can be useful for policy makers and criminal justice professionals. In this concluding chapter, I argue that civic reeducation should be included as a component of offender rehabilitative programming. This chapter defines the term civic reeducation and provides instructions as to how a civic reeducation component could be effectively integrated into post-conviction rehabilitative programming. This chapter will be especially of interest to members of probation and parole agencies seeking to improve ex-felon reentry programming and services.

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## Chapter 2: A Legacy of Exclusion: How Ex-Felons Understand Their Voting Rights Post Incarceration

### Abstract

In-depth interviews conducted with recently released ex-felony offenders and months of participant observation, revealed that felon disenfranchisement laws and other exclusionary practices, cause ex-felons to wrongly believe they are without rights and benefits they retain in most U.S. states, including the right to vote. Ex-felony offenders interviewed unknowingly exaggerated rights restrictions they faced post-conviction and often demonstrated that they were unable to decipher myth from truth, regarding their remaining rights. To mitigate misperceptions held by ex-felons, that alienate them from civil society, probation and parole agencies can facilitate civic reintegration through civic reeducation.

## Introduction

As compared to European nations, the United States (U.S.) maintains restrictive criminal offender disenfranchisement laws. The practice of banning criminal offenders from voting while incarcerated is not limited to the U.S., however, the practice of barring ex-felony offenders from voting post-incarceration is a practice unique to the U.S. To further illustrate this policy contrast, while the European Court of Human Rights has ruled that a blanket ban on voting from prison violates the European Convention on Human Rights (*Hirst v. United Kingdom No.2* 2005) all but two U.S. states maintain a complete ban on felon voting from prison and most U.S. states ban ex-felons from voting even after they have been released from jail or prison. The U.S. is exceptional in that it maintains both the highest incarceration rate (Walmsley 2014) and the largest population of individuals disenfranchised in the world (Uggen, Shannon and Manza 2012).

U.S. state constitutions upon ratification contained provisions excluding the right of suffrage from those who committed “infamous crimes”. Since the U.S. Supreme Court ruled in *Green v. U.S.* (1958) an “infamous crime” has been defined as any crime that results in a sentence of one year or more. The Green ruling lead U.S. states to recognize all felony offenses as “infamous crimes”. Although felon disenfranchisement laws exist in most U.S. states, many have been modified to allow ex-felons to regain the right to vote after they have completed all aspects of their criminal sentence, including parole and probation. Forty-eight states prohibit offenders who are incarcerated from voting, thirty one states prohibit voting for parolees and probationers, seven states maintain disenfranchisement laws for ex-felons after incarceration but allow ex-felons to apply for

restoration of voting rights, and four deny ex-felons from voting even after they have completed all aspects of their sentence (The Sentencing Project 2014).

Though felon disenfranchisement laws have existed for centuries, offender exclusion legislation passed by Congress has further stigmatized ex-felons in the U.S. The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) signed by President Clinton, bans drug felons from receiving welfare benefits, including food stamps, though states are able to opt out of this requirement. Beyond being excluded from voting and receiving welfare benefits, state and federal laws also exclude ex-felons from owning a gun, possessing ammunition, serving on juries, and serving in the U.S. military (Kalt 2003; Boucai 2007). These exclusionary laws, like felon disenfranchisement laws, send a strong message to ex-felons that they are excluded from society and no longer maintain the rights and benefits of citizenship.

Although some ex-felons in the U.S. are prohibited from voting due to felon disenfranchisement laws, millions of other ex-felons remain eligible to vote but fail to do so (Burch 2007, 2011; Haselswerdt 2009; Hjalmarsson and Lopez 2010; Weaver and Lerman 2010). Scholarship has highlighted negative interactions with law enforcement agents (Weaver and Lerman 2010), and detrimental effects of incarceration as factors negatively impacting ex-offender political participation (Lerman 2013). The pressure to conform, and the minimization of individuality that occurs in prison may explain why imprisonment tends to create apathetic non-voters, as opposed to active citizens that choose to exercise their political voice (Behan 2014).

An alternative explanation, yet to be explored, is that misinformation held by ex-felony offenders also negatively impacts civic engagement post-incarceration. In this chapter, I pose the following research questions; how do ex-felony offenders in the U.S. interpret their right to vote after completing their sentences? And, what role does misinformation play in ex-felon civic reintegration? After conducting months of participant observation and semi-structured interviews with recently released ex-felony offenders, I argue that misinformation stemming from a history of felon exclusion in the U.S., causes many ex-felons to fail to participate in civic activities such as voting. I additionally argue that parole and probation agencies are uniquely positioned to dispel common myths held by ex-felons about felon exclusion laws. I suggest that by providing accurate, accessible information to ex-felons regarding their civil rights, parole and probation officials can help facilitate the social reintegration process.

### Collateral Consequences

When a defendant is accused of a crime and found guilty by a judge or jury, the defendant is issued a sentence as punishment for the crime. The sentence may take various forms but always involves some form of punishment, which may vary from a small fine to imprisonment. These types of punishments are a direct consequence of violating criminal law. Punishment for felony offenders in the U.S. however, does not cease after they have served their sentence. Felony offenders then suffer from collateral consequences. Collateral consequences are not criminal punishments rather they are civil punishments ex-felony offenders face after they serve their criminal sentence (Pinard, 2006).

Upon entering a plea, defendants are often unaware of the collateral consequences that accompany a felony conviction. Alexander (2012) has found that overworked public defenders, rarely inform defendants of collateral consequences they may encounter post-conviction. Further judges are not required to inform defendants of post-conviction collateral consequences, judges are only required to inform defendants of the direct consequences they face as a result of violating of criminal law (Chin 2012). Inmates interviewed as part of this research project, indicated that they learned about collateral consequences while they were incarcerated from acquaintances that provided them with inaccurate information. Other scholarship has indicated probation and parole officers as common sources of misinformation for ex-offenders seeking an understanding of their post-conviction rights (Ewald 2005; Allen 2011).

#### Contact With the Criminal Justice System, Civic Engagement and Crime

Research by social scientists has showed that when ex-felons are released from custody and retain their voting rights, they rarely exercise them. This even holds true for ex-felons that prior to their conviction consistently voted (Burch 2007, 2011; Haselswerdt 2009). Haselswerdt (2009) observed rates of registration and voter turnout in both general and closed primary elections for a cohort of 660 ex-felons released from parole in Erie County New York in 2004. Haselswerdt observed that while prior to their conviction approximately 36% of this cohort was registered to vote, post conviction only 13% had reregistered to vote in either 2004 or 2005 and only 5% of this cohort voted in either election. After matching data on millions of convicted offenders to voter registration records and turnout, Burch (2007, 2011) found that fewer than 10% of

individuals convicted of a crime and still serving some part of their sentence, voted in the 2004 general election. In 2008, even with minority voter turnout peaking and overall voter turnout reaching a level it had not reached in 40 years, Burch found that ex-felon voter turnout was just 22% which was much lower than the overall voter turnout rate in the U.S. for that same year of 61.6% (Burch 2011).

The negative impact of contact with the criminal justice system on civic engagement is not limited to the activity of voting. Weaver and Lerman's (2010) study indicated that individuals who have frequent contact with the criminal justice system are less likely to trust government, vote and participate in community groups. . They conclude that punitive interactions with law enforcement agents cause ex-offenders to develop negative orientations towards government, which translates into ex-offenders demonstrating depressed levels of civic engagement.

Empirical research also demonstrates that a link exists between civic engagement and crime. Uggen and Manza's (2004) examination of longitudinal survey data derived from the Youth Development Study shows that a robust negative relationship exists between voting and subsequent criminal behavior even when controlling for variables such as race, marital status, education, employment and prior criminal behavior. Emerging research on desistance from crime provides evidence that civic engagement is a vital component of the community reintegration process. Farrall et al. (2014) qualitative longitudinal study reveals that individuals that desist from crime are significantly more likely to vote and demonstrate active community involvement. Farrall et al. (2014) argue

that active citizenship is a result of social inclusion and that criminal disenfranchisement is at odds with governments often stated goal of ex-offender rehabilitation.

### Research Method

The Presley Center for Crime and Justice Studies provided me with a research fellowship that afforded me the opportunity to engage in months of qualitative research at a California Day Reporting Center (DRC). The DRC I conducted field work at provides courses to ex-felony offenders focusing on general education, employment readiness training and cognitive behavioral therapy. This research project was conducted in two phases. First, I engaged in months of participant observation at the DRC to develop a rapport with participants and to better understand barriers ex-offenders face during the reentry process. During participant observation I carried on conversations with participants during breaks, ate lunch with them and participated in rehabilitative classes with them. Once I had developed a rapport with participants, I began the second phase of my research design which involved conducting semi-structured interviews. I recruited volunteers to participate in interviews during the last five minutes of classes offered at the DRC. An announcement was made asking participants if they would like to participate in interviews to help generate knowledge about the ex-felon civic reintegration process. Participants were not offered incentives to encourage participation, though some participants were allowed to be absent from their next class during the duration of the interview. Written consent to participate in the study was obtained from all interview participants prior to beginning each interview. Prior to arriving at the DRC as an outside



researcher, I had no prior involvement with any DRC employees or participants attending the DRC.

In total, I conducted 36 semi structured interviews with ex-felony offenders who had been released from prison or jail within one year. Offenders were sampled using the strategy of purposive sampling (Flick 2009). For interviews, I selected offenders which represented typical cases (Patton 2002). In this context, typical cases can be defined as offenders with varying backgrounds but that are equally likely to demonstrate either knowledge, or a lack of knowledge of their rights. In an effort to obtain typical cases, the days of the week that participants were recruited for interviews at the DRC rotated weekly. Since course offerings at the DRC are scheduled for specific days, this recruitment strategy ensured that offenders enrolled in different courses, as a result of having differing needs, were given an equal opportunity to participate in the interviews. All interview respondents in the sample had been convicted of at least one felony offense, with most respondents having been convicted of multiple felonies.

Offenders attending the DRC had a variety of past convictions, ranging from driving under the influence to second degree murder. As a result, the amount of time respondents in the sample had spent incarcerated varied, with some offenders serving as little as 4 months in confinement while others had served over 40 years. All ex-felons included in this sample were to have their voting rights automatically restored prior to the November 4<sup>th</sup> 2014 midterm elections, which included the race for California Governor.

Interviews with ex-felons varied in length from 11 minutes to 39 minutes, with most interviews lasting approximately 25 minutes.

The interview instrument used for this study contained 14 questions. Interviews began with general questions about ex-offender experiences at the DRC, before proceeding to questions specifically related to their knowledge of rights post-conviction. Each respondent was asked two questions, one to assess their knowledge of ex-felon voting rights in the state of California and the second question to evaluate their desire to participate in future elections. Respondents were asked; do you plan to participate in the November 2014 midterm elections, which includes California's Governor's race? Respondents were then asked; what is your current understanding of how your felony conviction impacts your ability to vote? After respondents answered both questions, the ex-felons interviewed were informed that they would be eligible to vote in future elections. After being informed that their right to vote would be restored, participants were then asked probing follow up questions to assess if providing them with accurate information regarding their voting rights influenced their likelihood of voting in future elections. All of the quotes provided in the remaining sections of this article were derived from the responses given by ex-felony offenders during interviews as recorded in the verbatim interview transcripts. Pseudonyms are used to identify the speaker and to protect the anonymity of respondents that participated in this study.

## Interview Findings

Participant responses to the interview questions were subsequently coded and categorized. Ex-felons that expressed a desire to participate in future elections were categorized as interested, while those who did not express a desire to participate in future elections were categorized as uninterested. Ex-felons who were able to explain how their felony conviction impacted their ability to vote were categorized as understands their right to vote and ex-felons unable to explain how their voting rights had been impacted by their felony conviction, or that incorrectly explained how their voting rights had been impacted, were categorized as misunderstood their right to vote. Based on ex-offender’s responses to the questions of interest a typology was created that captures all possible combinations of responses given by participants. Within the typology, the raw number of respondents who were placed into each category is listed along with the percentage of total respondents that were placed into each respective category.

Figure 2.1: Typology of Ex-Felons Desire to Vote by Knowledge of Voting Rights

	Interested	Uninterested
Understands	Ex felon understands California’s election laws pertaining to felon disenfranchisement and expresses a desire to participate in upcoming elections (8, 23%).	Ex felon understands his/her voting rights, but is unlikely to participate in upcoming elections because of a lack of expressed desire (2, 6%).
Misunderstood	Ex felon falsely believed that he/she is banned from voting permanently, though they expressed an interest in politics and voting (12, 34%).	Ex felon misunderstands their voting rights but did not express a desire to participate in future elections (12, 34%)

A substantial majority of respondents misunderstood how their voting rights had been impacted by their felony conviction. Just over 68% of offenders in this sample failed to demonstrate an accurate understanding of how their voting rights had been impacted by their felony conviction. Half of the respondents in the sample, that misunderstood their voting rights, expressed an interest in voting in future elections while the other half was uninterested in voting in future elections. Less than a 1/3 of the sample accurately understood how their felony conviction impacted their ability to vote. Of those who understood their voting rights, most planned on voting in future elections. Only 6% of the sample that understood they were eligible to vote in future elections indicated they would likely abstain from voting in the future.

#### Misunderstood and Uninterested

Respondents placed into the misunderstood and uninterested category expressed similar sentiments when asked about their level of interest in future voting. Ex-felons commonly stated that factors stemming from their convictions created more immediate concerns for them, that trumped concerns related to politics or world affairs. Respondents often described returning to extremely impoverished environments after they completed their sentence. Offenders indicated that their primary concerns were survival and reuniting with family. Ex-felony offenders frequently expressed feelings of alienation from society and indicated that it was difficult to complete basic tasks in public. This was especially common for offenders who had served long prison sentences. Raymond, a former L.A. Crip who had spent over two decades incarcerated explained:

With family it is pretty easy to get reintegrated. We've always been close... But I was gone for a long time, maybe 21 years. As far as going out in the public, I really don't -- I don't go out much it's still difficult to get used to people. I feel like I am weird or awkward or something and sometimes I wonder, like what the hell is going on here?

Another respondent Michael, who had just finished serving a sentence for selling and transporting narcotics, highlighted how a period of incarceration can decimate financial resources and leave former offenders struggling to survive:

What a lot of people don't realize when you get out of prison, is that you've been gone from society for so long, and you come out and all they do is give you 200\$ gate money<sup>1</sup> and they expect you to survive on that. But you just took a loss because when you went to prison your stuff wasn't in a secure location, and so your stuff is gone when you get back... So you really got to start all over. And that 200\$ gate money doesn't go very far because once you buy your bus ticket and clothes you only got 40 or 60 dollars left... Yep, and they expect you to survive on that...

Ex-felons indicated that they had trouble finding housing upon release and as a result they resided in sober living homes, or in many cases became homeless. Many ex-felons noted that a lack of resources precluded them from following the news and reduced their ability to remain politically engaged. Nick, a former homeowner that prior to his last conviction worked as a maintenance worker for the California Department of Transportation described his current living situation after being asked if he had access to the internet or television:

I don't have a car gas or electric where I am staying at, nothing, nothing, nothing... No running utilities nothing. So it's pretty fucked up. I'm in a hole. I've never been there before and I don't like it either... I try to get my news from a paper if I want it.

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<sup>1</sup> Gate money is money provided by the California Department of Corrections and Rehabilitation to ex-offenders once they are released from prison

David, a validated gang member who expressed frustration because he had been closely monitored by the Gang Task Force responded this way after being asked about his interest in politics:

I can't worry about people in the Middle East man... I gotta worry about myself right now... I feel bad saying it, but it's true... I gotta worry about if the cops gonna pull me over and harass me in front of my daughter... I have to worry about stupid shit like that...

After I asked Ryan, a former felon who had battled drug addiction since his early teens how his felony conviction had impacted his ability to vote he responded:

I don't even think about it actually... I mean I've been failing at that kind of stuff for so long, I just assume I can't vote. I don't think I can have that right ever again.

When respondents in this category were informed that they would have their voting rights automatically restored upon completion of their felony supervision, respondents did not express a desire to vote in the future. Steven, a respondent that had been in and out of the correctional system his entire adult life offered the following comment as a reason for being uninterested in participating in future elections:

Yeah but one person ain't gonna make a difference... No kind of difference at all you know.

Consistent with the theory put forth by Weaver and Lerman (2010) many respondents expressed disdain for politicians and a fundamental distrust of government as reasons for non-participation in politics. Michael, the participant cited above who was convicted of selling and transporting narcotics stated:

I don't vote because politicians are crooked too. They say whatever to get in office then they switch the whole thing up once they get behind the desk... They don't do what they say they're going to do.

Offenders in this category also blamed elected politicians for not providing enough resources to ex-felons attempting reintegrate into society. Many ex-felons stated that if elected leaders really wanted to assist ex-felons, they would help them find jobs by providing incentives to potential employers willing to hire ex-felons.

### Misunderstood and Interested

Offenders in the misunderstood and interested category expressed a desire to participate in elections, but falsely believed they were permanently disenfranchised. When ex-offenders in this category were asked if they knew how their felony conviction impacted their voting rights, respondents asserted that they could not vote. A respondent named Rico replied:

Yeah, I understand... If you're a felon they take away your rights...

Other ex-felons in this category indicated that prior to their conviction they had voted regularly, but now were discouraged from voting because they believed their felony conviction prevented them. Aaron, who prior to being convicted of felony drug possession maintained a career as a truck driver indicated:

I used to vote... But now I don't...I don't think I can... Not with my felony record...

When Aaron was told that his voting rights would be restored in time to vote in the next major election, he appeared relieved and indicated that he planned on voting again in the future.

Several other respondents had never voted before, either because they were incarcerated or because they assumed their felony status excluded them from voting.

Although these respondents had not voted in the past, they expressed a desire to participate in future elections. Sandra, a married mother of two who had struggled with drug addiction throughout her life stated:

I have never voted before, because I have always been a convict... nope, nope, never voted, but I would like to...I understand that if you're a felon you can't vote.

After Sandra was informed that her voting rights would be restored she responded:

Really? I didn't know that... oh o.k... Because I think that's part of being a productive member of society... You know, getting to vote ... And I want that privilege.

Another respondent Ronnie indicated that the false perception that ex-felons can't vote is common amongst the ex-felon population. Ronnie was shocked to find out that his right to vote would be automatically restored and expressed excitement about the prospect of voting in the future:

Man they always told me... Because man you got these jail house lawyers you know, that think they know it all... Oh my god man...I've seen people depressed saying they can never vote again... Or, I've seen military guys feeling like they served their country and now their country back stabbed them...See I didn't even know that man (that voting rights are automatically restored), that's good right there man...Next year, I will probably vote...Hell yeah man... I always thought I could never vote again, for the rest of my life...Because, that's what I was taught.

Ex-offenders placed into the misunderstood and interested category, unlike offenders in the misunderstood and uninterested category, were bothered by the existence of disenfranchisement laws and appeared relieved to learn that they would regain their right to vote. While I cannot uncover if respondents in this category will actually vote in future elections, providing ex-felons with correct information regarding their post-



conviction civil rights provides them with the opportunity to reengage civil society through pro-social behaviors.

### Understood and Interested

Ex-felony offenders placed in the understood and interested category accurately articulated how their voting rights had been impacted by their felony conviction and expressed a desire to participate in future elections. Offenders in this category described prior involvement in a variety of political activities including voting. Josh, a respondent who was pursuing his GED at the time of the interview stated:

Yeah, I have voted... The last time I voted... I voted for Prop 215 (legalizing medical marijuana)... I have voted for a lot of different things in the past.

When Josh was asked if he was aware of how his most recent felony conviction had impacted his ability to vote in future elections, Josh replied:

Yeah, yeah I can vote again, a lot of people don't know that you can vote as a felon, but no you can, it's just up to you to know the rules... You've got to look into it... Yeah, yeah I plan to vote again... I want to be able to voice my opinion on what happens in this world.

Another ex-offender Ahmad, stated that prior to his felony conviction he was heavily involved in political campaigns. When Ahmad was asked if he had voted prior to his last conviction he responded:

I've voted before... Before I was dealing with this (supervision), I was very involved with the Obama campaign. I made a lot of phone calls and stuff for the Democrats... I have always been a registered Democrat... I did help Obama, and I was involved very, very strongly.... I will be done with this (supervision) in June, then god willing, I will get involved with politics and voting again.

Offenders in the understood and interested category appeared less disconnected from society as compared to respondents that misunderstood their voting rights. These

respondents appeared determined not to let their felony conviction keep them from exercising rights and privileges they maintained. Respondents placed in the understood and interested category indicated that they had taken the initiative to research on the internet how their felony conviction had impacted their rights.

Of participants in this study, very few indicated that they were able to utilize technology such as the internet as a tool to inquire about rights they retain post-conviction. Instead it was far more common for offenders to embarrassingly indicate that they lacked basic computer skills that would allow them to find information online. This finding is consistent with Amodeo, Jin and Kling (2009) who estimated that 75% of prisoners preparing for release in California have never used a computer.

#### Understood and Uninterested

Respondents rarely demonstrated an understanding of their voting rights while at the same time displaying a lack of interest in voting. Respondents placed in this category expressed distrust or contempt for politicians, though interestingly, they demonstrated considerable levels of political knowledge. Richard, a former felony offender who had convictions for theft and possession of methamphetamine expressed contempt for the US electoral process and cited his disapproval of the process as his primary reason for not voting:

I have the opportunity to be a registered voter, I know but I choose not to be. Because I know my vote doesn't really count... I mean Gore, Gore should have been our president... The only thing about Gore is that he knew that it was not worth it to pursue it, because he would have been hurt if he pursued that... You know the constitution is so wrong... We should have a popular vote in this country... Instead of the Electoral College... The Electoral College made sense

two hundred years ago, when we had horse and buggy but we have the media and everyone is very capable now... So I believe we have the wrong process of voting and it's unfair... It's really not democratic... So I am not even interested in voting, because at this point it doesn't matter.

Another respondent, Milton indicated that he recognized he could vote in the future but chose not to because he was frustrated with the partisan divide in Washington D.C:

Yeah, yeah I have voted... But if you're asking me if I vote now... I don't get into the voting part. There is too much disagreement in it. It's you against me in other words... I try to change something, and you disagreeing with it. So that's what I see in politics today... Yeah, too much disagreeing. That's why we ain't moving anywhere yet... If we can all get on the same page, then maybe we can move forward... But if we are always disagreeing than we can't move forward because you got your wall up... So like I told you, I don't get into the politics no more... Because simply for me, the way I feel, whether or not I vote there is always going to be too much conflict in politics.

Respondents placed into the understood but uninterested category were different from other respondents in the sample. They followed politics and maintained an understanding of their voting rights, however, chose not to participate in politics through voting because they were disillusioned by the political system.

### Beyond Voting

In addition to misperceiving voting rights, respondents also indicated that they held many misconceptions about what public assistance benefits they remained eligible for post conviction. Though PRWORA bans drug felons from receiving public assistance benefits, California is one of nineteen states that modified the ban on food stamp eligibility. California allows ex-drug felons to receive food stamps if they meet the general requirements and have completed a state recognized drug treatment program (Burks 2013). At the DRC, a department of social services representative is contracted by

the county to explain to participants what eligibility requirements they must meet in order to receive benefits. When eligible ex-felons I spoke with learned from DRC staff that they were eligible for public assistance benefits such as food stamps and Medi-Cal<sup>2</sup> even with felony convictions, respondents expressed surprise. Respondents indicated that in the past, they had never applied for benefits because they believed their status as a felon disqualified them. Alex, an ex-felon who had never received public assistance benefits before learning about them at the DRC indicated:

I mean that is always my first thought, you know... Like having a felony stops everything, a lot of things anyway. But um, yeah I didn't know that I was eligible for benefits in the past and this time around I am really trying to take advantage of opportunities for help, you know what I mean... Before I didn't know, and now that I know and I was able to get both these things (food stamps and Medi-Cal) it really does help me... Because I never know what is going to happen to me next.

Angelica, a respondent who had a history of drug abuse but that had completed a state recognized drug counseling program and was now eligible to receive public assistance benefits discussed encountering difficulties when she applied for food stamps:

I mean it's hard you know, to do anything without them, you know bringing up the criminal thing... You have the background and that comes up every time... And you're stuck with that for the rest of your life... You can't do anything without them saying oh you got convictions for this or that... They're not looking at what you're trying to do now you know... I am trying to do good now. I'm trying to change now.

Policies implemented which restrict specific ex-offenders from receiving benefits or exercising rights, are significant because they often prevent eligible ex-felons from exercising rights or privileges they maintain. This is because the notion that felons “cant” or are “without” has been reified by a legacy of exclusionary policies.

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<sup>2</sup> Medi-Cal is the name of California's Medicaid program which serves low income residents, seniors and people with disabilities.

## Policy Conclusions

In this chapter I do not develop a normative argument addressing the democratic legitimacy of the practice of felon disenfranchisement. Instead, I argue that civic reintegration is a valuable component of the offender reentry process. Although existing literature indicates that correctional officers have served as sources of misinformation for some ex-offenders (Ewald 2005; Allen 2011), they are uniquely positioned as agents of the state, to convey correct information regarding post-conviction rights to ex-felons prior to release. Informing ex-felons of their post-conviction rights is consistent with the rehabilitative mission of correctional departments. As a large body of criminological research indicates, in order for-ex offenders to desist from criminal activity, they must engage in pro-social post-release activities that assist them socially and mentally (O'Brien, 2001; Petersilia, 2003; Rose and Clear, 2003; Shapiro and Schwartz, 2001; Travis and Petersilia, 2001). Voting exists as an inclusive pro-social activity that may allow ex-felons to strengthen bonds with the state and civil society. For ex-felons to exercise the right to vote, however, they must first understand the voting rights restoration process, which in the U.S. is often complex and varies by state.

To help facilitate rehabilitation and social reintegration, probation and parole agencies should provide instruction to ex-offenders containing a civic reeducation component. Civic reeducation, I recognize as, providing accessible information to ex-offenders regarding rights they retain, rights that can be restored, and the routes through which they can reengage civil society. This information should be presented verbally to

ex-offenders so that low levels of literacy common amongst ex-offenders, does not prevent them from retaining the information.

Too often, information provided to ex-felons post-release, only pertains to how they can access material benefits that may or may not be provided to them by the state. Public assistance benefits may aid offenders during reentry, but receiving material benefits does nothing to reintegrate ex-felons back into civil society. Providing ex-felons with information regarding the civil rights restoration process after they have been released from custody will facilitate civic reintegration, while at the same time increase levels of political efficacy. Providing information to ex-felons about the civil rights restoration process will show ex-felons that they are not merely subjects of the state, but rather they have the power through their vote, to promote change in society.

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### Chapter 3: What's in a Name? Unraveling the Impact of the Felon Label on Voter Turnout

#### Abstract

In this chapter I utilize a rare data set extracted from a law enforcement offender management system, and an innovative difference-in-difference research design, to estimate the causal effect of felony versus misdemeanor convictions on voter turnout. Counter to existing research on this subject, I find that while holding sentence constant, misdemeanor convictions have no effect on voter turnout, while felony convictions have a significant and negative effect on voter turnout. Previous research attempting to unravel the causal relationship between criminal convictions and voter turnout likely has been vulnerable to omitted variable bias. Unobservable characteristics such as asocial personality traits may have confounded the previously observed negative relationship between misdemeanor convictions and voter turnout.

## Introduction

The rapid increase in the rate of incarceration in the United States from mid 1980's through the early 2000's caused the period to be labeled the age of "mass incarceration". Over the past decade, an increasing number of political scientists have begun to ask how the age "mass incarceration" is impacting democracy (Gottschalk 2008). Although there is disagreement about which causal mechanisms produce the relationship, scholars have found that contact with the criminal justice system is negatively correlated with political involvement (Burch 2007; Haselswerdt 2009; Weaver and Lerman 2010).

Identification of contact with the criminal justice system as an explanatory variable, influencing electoral involvement, is problematic given that contact with the criminal justice system is an imprecise concept. Contact with the criminal justice system includes being cited for a traffic infraction, arrested, or incarcerated. Beyond contact with the criminal justice system involving various types of interactions with law enforcement, individuals who are convicted of crimes are convicted of different types of offenses, either felony or misdemeanor. Although misdemeanor offenders may encounter some housing and employment restrictions, they do not encounter the same civil and political restrictions as felony offenders. The legal status "convicted felon" in many states disqualifies individuals from voting, serving on juries, owning firearms and in most cases holding public office (Chiricos et al. 2007). While federal law disqualifies all ex-felons from owning firearms, most states allow ex-felons the regain their voting rights, either

after a specified period of time has passed without receiving an additional conviction, or through pursuing a more arduous petitioning process to have voting rights restored (Middlemass 2006; Allen 2011; Alexander 2012).

In states where ex-felons retain their voting rights, they have demonstrated dramatically lower rates of voter turnout than individuals with shared demographic traits but without criminal convictions (Burch 2007). Panel data collected on ex-felony offenders has revealed that ex-felon voter registration is over 20% lower post-conviction as compared to pre-conviction, and that voter turnout for ex-felons has been as low as 5% during presidential elections (Haselswerdt 2009). These findings urge the question, why do criminal convictions so dramatically decimate ex-offender levels of voter participation? Existing research has highlighted contact with law enforcement officials (Weaver and Lerman 2010), and the negative impact of criminal convictions on human and social capital (Burch 2007, Burch 2012) as mechanisms that lead to reduced levels of voter participation demonstrated by ex-offenders. No research, however, has explored if distinct types of criminal convictions, have differing affects on levels of political participation. In this chapter I pose the question, do the different imposed labels, resulting from different types of criminal convictions received, either felon or misdemeanor, independently effect levels of ex-offender voter participation?

To answer this question, I examine the voting behavior of three groups; ex-felony, ex-misdemeanor and non-offenders with shared demographic traits over three general election periods 2004, 2008 and 2012. I use a difference-in-difference quasi-

experimental design to estimate the casual effect of misdemeanor and felony convictions on voter turnout. Counter to existing research on this subject, I find that only felony convictions negatively impact ex-offender voter turnout. Alternatively, I do not find that misdemeanor convictions have a significant effect on ex-offender voter turnout. As a result, I argue that misinformation created by disenfranchisement laws and the stigma imposed by the “convicted felon” label negatively effects ex-felon voter turnout.

### The Felon Label and its Consequences for Political Participation

Most states impose some restrictions on convicted offenders preventing them from voting for a designated period of time. Forty-eight states prohibit those who are incarcerated from voting, thirty one states prohibit voting for parolees and probationers, seven states maintain disenfranchisement laws for felons after incarceration, however, permit some offenders to apply for restoration of voting rights, and four states permanently disenfranchise all felons (Uggen, Shannon and Manza 2012). Restrictions on ex-offender voting rights have created considerable confusion, as to which ex-offenders remain eligible to vote and which are excluded. Confusion regarding ex-offender voting rights has been expressed by the general public as well as election officials (Ewald 2005).

While the restrictiveness of ex-offender disenfranchisement laws vary by state, their existence brands ex-offenders as less than full citizens. The most severe restrictions on political and civil rights are reserved for felony offenders, as they are deemed by the state as the most severe type of criminal offender. Labeling theorists argue that deviant labels such as “felon” carry a stigma that is reinforced by stereotypes in society (Link and

Phelan, 2001). The idea that felons are less than full citizens and that felons have forfeited their right to vote has become an engrained component of the felon stereotype. Matsueda (1992) argues that individual self-image is formed by reflected appraisals, the process through which individuals form their identity based on their interactions with others. Reflected appraisals for newly convicted felony offenders involve social exclusion and constant rejection. In addition to losing civil rights, many convicted felons are disqualified from receiving student loans, employment and permanent housing (Chiricos et al. 2007).

Labeling theory suggests that social exclusion leads ex-felons to internalize and accept the “convicted felon” identity. Once ex-felons assume the felon identity, they then begin to take upon the role of convicted felon and behave as the stereotypical felon behaves. Labeling theorists argue that once the deviant self-concept has been internalized, individuals engage in deviant behavior that they otherwise would not have engaged in had they not been labeled as a deviant (Bernburg and Krohn 2003; Johnson, Simons and Conger, 2004). Labeling theory traditionally has been used to explain repeat offending however, labeling theorists would also argue that imposition of the felon label will lead to reduced involvement in pro-social activities such as voting, once the identity of the “convicted felon” is internalized. Interestingly, political scientists and sociologists have not yet explored the impact of criminal labels, either felon or misdemeanor on political participation.

### Existing Research: Felon Disenfranchisement

Scholarship on felon disenfranchisement has primarily focused on examining the impact of felon disenfranchisement laws on election outcomes. This scholarship has attracted attention in political science because of the bold claims made that past elections have been decided in favor of the Republican Party, including the 2000 presidential election because felons were excluded from voting (Manza and Uggen 2006). Manza and Uggen (2002, 2006) predictions rely on the assumption that ineligible ex-felons would have turned out to vote at rates between 25-35% in 2000 and that they would have voted overwhelmingly for the Democratic Party.

Manza and Uggen's predictions have been challenged by scholars that have examined trends in voter turnout in voting eligible ex-criminal offenders. Burch (2007) has argued that independent of formal exclusion, criminal convictions depress voter turnout because they depress levels of human and social capital (Burch 2007). Studies utilizing panel data to compare pre-conviction levels of voter registration to post-conviction voter registration, in voting eligible ex-offenders have found that criminal convictions reduce voter registration by over 50% (Burch 2007; Haselswerdt 2009). Actual ex-felon voter turnout has been shown to be dramatically lower than the 25-35% estimated by Manza and Uggen (2006) and has been shown to be in the single digits during past presidential elections (Haselswerdt 2009). Since actual voter turnout demonstrated by voting eligible ex-felony offenders has been so dismal in past elections,

more recent scholarship argues that felon disenfranchisement laws did not sway the 2000 presidential election in the favor of George W. Bush (Burch 2012).

While a negative correlation has been established between contact with the criminal justice system and political participation, the conditions under which this relationship holds are unclear. Weaver and Lerman's (2010) research attempts to fill this gap as they typologize contact with the criminal justice system, identifying four types of contact, stopped by police, arrested, convicted, jail time and serious time. Their findings indicate that as contact with the criminal justice system increases in severity, political participation decreases.

A common thread linking existing research findings on the topic of ex-offender voting is that contact with the criminal justice system, regardless of conviction type, negatively influences political participation. Existing research however has not adequately answered the question, how does conviction type, independent of contact severity, influence ex-offender political participation? A problem with existing research is that it has not been able to isolate the causal effect of criminal convictions on voter turnout because the effect of punishment (sentence) has not been parsed out. This study utilizes a unique panel data set of voting eligible ex-felony and ex-misdemeanor offenders that received the identical sentence of one year probation in lieu of jail or prison, to estimate the causal effect of criminal convictions on voter turnout. Based on the reasoning that the label "convicted felon" carries much more stigma than the label "convicted misdemeanor" I put forth the following testable hypotheses.



## Hypotheses

H1: Felony convictions will have a negative causal effect on ex-offender voter turnout.

H2: Misdemeanor convictions will not have a significant causal effect on ex-offender voter turnout.

H3: The magnitude of the effect of criminal convictions on voter turnout will be greater for ex-felons, as compared to ex-misdemeanor offenders.

H4: The negative effect of criminal convictions on voter turnout will be sustained over multiple elections for ex-felony offenders but not for ex-misdemeanor offenders.

## Data

Data used for this research project was extracted from the Juvenile Adult Management System (JAMS) database, maintained by the Riverside County Probation Department in Riverside, California. The JAMS database contains data on all criminal offenders who have been convicted of a crime and sentenced to probation in Riverside County. The sample constructed is limited to ex-offenders, that at the time of data extraction, had been convicted of only one criminal offense between the 2004 and 2008 general elections. All of the offenders in the sample received the same sentence of one year of formal probation but were convicted of different types of offenses, either felonies or misdemeanors. In an effort to ensure comparability across the felony and misdemeanor groups, only offenders that were convicted of “wobbler” crimes were included in the sample. Wobbler crimes are crimes that can be prosecuted either as a felony or misdemeanor offense. For the interested reader, a frequency table displaying the offenders included in the sample by California offense code can be found in Appendix A. The demographic traits of the felony and misdemeanor offenders included in this sample

are shown below in table one. As table one below indicates the felony and misdemeanor groups appear similar with the exception of the misdemeanor group containing slightly more Whites and Latinos than the felony group and the felony group containing more African Americans than the misdemeanor group.

Table 3.1 Descriptive Statistics of Offenders

	Black	White	Latino	Other	Age
Misdemeanor (N=386)	8.3%	39.3%	49.8%	2.5%	44.2
Felony (N=386)	18.6%	34.7%	44.1%	2.5%	48.3

To estimate the effect of misdemeanor convictions on voter turnout a third comparison group was constructed. The third group consists of non-offenders that have shared regional and socio-demographic traits with ex-offenders in the sample. The non-offender sample was generated from General Social Survey (GSS) data for 2004, 2008 and 2012. The GSS is the only semi-annual national survey that contains a question asking respondents if they have ever been arrested. Utilization of GSS survey data allowed me to generate a sample of individuals who had shared regional and socio-demographic characteristics with ex-offenders in the sample but that had not been arrested. The non-offender sample was matched to ex-offenders based on racial composition, region of residence, level of education, age and employment status. Probit regression was used to generate the predicted probability of voter turnout for the non-

offender group in each election 2004, 2008, and 2012. A more in depth discussion of how non-offender voter turnout rates were estimated is included in Appendix B.

### Voter Turnout Data

Voter history files obtained from the Riverside County Office of Elections were used to construct the outcome variable, which is a dichotomous variable indicating “1” if the individual turned out to vote for president in a specific election and “0” if the individual did not vote in a specific election. The names, birthdates and addresses of former offenders were matched to the names, birthdates and addresses in the county voter history file to determine if the individual voted in a specific election. Individual voter turnout was recorded pre-conviction (2004) and post-conviction (2008 and 2012).

The final data set constructed is a panel data set that includes 386 ex-felony offenders, 386 ex-misdemeanor offenders and 483 non-offenders. All of the 772 ex-offenders included in the data set were convicted of their first and only felony or misdemeanor offense between the 2004 and 2008 general elections. All of the offenders included in this data set were sentenced to one year probation in lieu of jail or prison and remained eligible to vote for president in all of the election periods covered. California electoral law stipulates that only felons that are sentenced to state prison, or that are currently under the supervision of state parole are restricted from voting in elections (California Constitution Article II, Section 4 California Election Code Section 2101)<sup>3</sup>.

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<sup>3</sup> In 2011 California instituted prison realignment (AB 109), which required that non-violent felony offenders be sentenced to county jail and probation instead of state prison and subsequent parole. This change has temporarily disenfranchised some felony offenders on probation, but because the offenders

Since no offenders included in this sample were sentenced to state prison or parole, no offenders in this sample were ever disenfranchised as a result of their criminal conviction. Since no ex-offenders in this sample were disenfranchised and all ex-offenders in the sample received the same sentence, this data set affords the rare opportunity to estimate the causal effect of imposition of the felon label on voter turnout.

### Research Method

To estimate the impact of criminal convictions on voter turnout a series of difference-in-difference models were estimated. The difference-in-difference estimate is calculated most simply by using the formula shown below:

Difference in Difference Estimator

$$DD = E(\bar{Y}_1^T - \bar{Y}_1^C) - E(\bar{Y}_0^T - \bar{Y}_0^C)$$

Where  $\bar{Y}_1^T$  is the voter turnout rate in the 2008 presidential election (post-treatment) for those who received a felony conviction between the 2004 and the 2008 general elections (treatment group) and  $\bar{Y}_1^C$  is the voter turnout rate in the 2008 presidential election for those who received a misdemeanor conviction between the 2004 and 2008 general elections. In the first series of models estimated, misdemeanor offenders exist as the control group and felony offenders are the treatment group. In estimating the equation shown above,  $\bar{Y}_0^T$  and  $\bar{Y}_0^C$  denote the voter turnout rates for both the treatment and control groups in the pre-treatment period which is the 2004 general election.

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included in this sample were convicted prior to the passage of AB 109 all offenders in this sample remained eligible to vote in both 2008 and 2012.

Regression analysis also can be used to obtain the difference-in-difference estimate. An advantage of utilizing the regression framework is the ease with which estimates can be generated, along with the corresponding standard errors (Angrist and Pischke 2009). The estimating equation in the regression framework is shown below:

#### Difference in Difference Estimate as a Regression

$$\text{Voted08} = \beta_0 + \text{post08} + \text{felony} + (\text{felony} * \text{post08}) + \varepsilon$$

In the regression equation depicted above `voted08` is a dichotomous outcome variable indicating whether or not the individual voted in the 2008 general election, `post08` is a dichotomous explanatory variable indicating the 2008 election period (post-treatment) and `felony` is dichotomous variable indicating whether or not the individual received a felony conviction between the 2004 and 2008 general elections. Interacting these two terms `felony*post08` yields the coefficient of interest, or the causal effect of a felony conviction on voter turnout in the 2008 general election.

Subsequent difference-in-difference models were estimated using the misdemeanor group as the treatment group and the non-offender group as the control group to estimate the causal effect of misdemeanor convictions on voter turnout. To explore if the impact of criminal convictions on voter turnout lasts over multiple election periods a difference-in-difference model was also estimated using 2004 as the pre-treatment period and 2012 as the post-treatment period. The results were then compared to the model which used 2004 as the pre-treatment period and 2008 as the post-treatment period.

## Results

The results of the difference-in-difference analysis provide evidence that felony convictions have a negative causal effect on voter turnout. Table 1 below displays the voter turnout rates for felony and misdemeanor offender's pre-conviction and post-conviction, as well as the difference-in-difference estimate. During the 2004 general election, prior to offenders receiving their first criminal conviction, felony offenders and misdemeanor offenders voted at similar rates. The rate of voter turnout in 2004 was only .2% higher for misdemeanor offenders as compared to felony offenders. This similarity in pre-conviction voter turnout rates indicates that pre-conviction, both groups demonstrated similar levels of political involvement.

After individuals in both offender groups received their first conviction, the trends in voter turnout for misdemeanor and felony offenders diverge in different directions. Misdemeanor offenders who received their only criminal conviction between the 2004 and 2008 general elections demonstrated an increase in voter turnout between 2004 and 2008 of 3.4%. This positive trend in voter turnout is similar to the upwards trend in voter turnout demonstrated by the non-offender group with shared socio-demographic traits between 2004 and 2008. Alternatively, voter turnout for felony offenders trended in the negative direction between 2004 and 2008, as it decreased by 1.6%. The comparison of trends in voter turnout across these three groups between 2004 and 2008 provides compelling evidence that felony convictions had a negative causal effect on ex-felon

voter turnout in 2008. Figure 3.1 below graphically displays the estimated treatment effect of felony convictions on voter turnout in 2008.

Figure 3.1 Estimated Treatment Effect of Felony Convictions on Voter Turnout

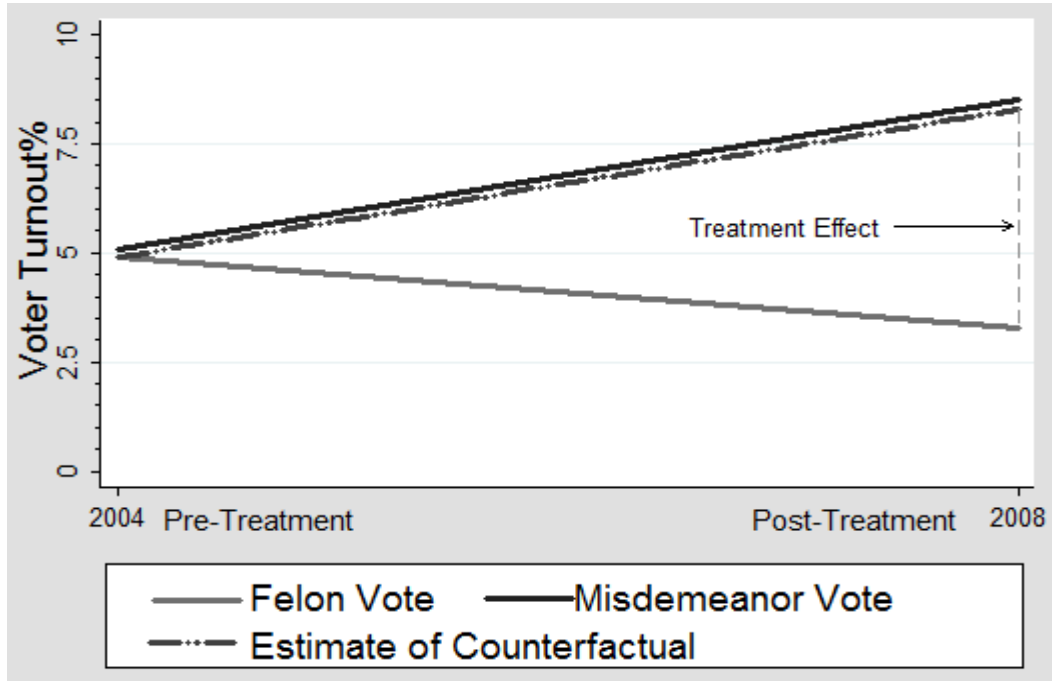


Table 3.2 Conviction Type by Voter Turnout in 2004 and 2008

	Pre-Conviction (2004 General Election)	Post-Conviction (2008 General Election)	Difference
Felony Offenders (Treatment)	4.7%	3.1%	-1.6%
Misdemeanor (Control)	4.9%	8.3%	3.4%
Difference	-.2%	-5.2%	-5%

Table 3.2 provides the results of the difference-in-difference analysis in table format. As illustrated above, felony offenders experienced a reduction in voter turnout from 2004 to 2008 while misdemeanor offenders demonstrated a sizable increase in voter turnout from 2004 to 2008. The value of interest is the estimated causal effect of felony convictions on voter turnout and is shown in the bottom right cell in the table above. The difference-in-difference estimate of -5% indicates that felony convictions reduced voter turnout for felony offenders by 5% in the 2008 general election.

Between 2004 and 2008 misdemeanor offenders, non-offenders with shared demographic traits and the U.S. voting eligible population at large all demonstrated increases in voter turnout (United States Elections Project, 2012). The fact that felony offenders were the only group to demonstrate a decline in voter turnout between 2004 and 2008 provides strong evidence that felony convictions negatively impacted voter turnout during this period. Considering voting trends demonstrated by the comparison groups as the counterfactual condition, the conclusion that must be reached is that had offenders in the felony group not received a felony conviction between 2004 and 2008, they also would have demonstrated increased levels of voter turnout between 2004 and 2008.

The difference-in-difference estimate was also estimated in the regression framework and the results, as expected, are nearly identical. Slight differences noticed are attributable to the rounding of the results. The regression coefficient for the interaction term yielding the estimated causal effect of felony convictions on voter turnout is -.049



with a p-value of .03. The interaction coefficient and the corresponding p-value indicate that the effect of felony convictions on voter turnout is significant. Hypothesis 1 as it relates to felony convictions therefore is supported by these results. Table 3.3 below provides the regression coefficients for the variables included in the difference-in-difference regression model along with corresponding standard errors, p values and the 95% confidence intervals.

Table 3.3 Diff-in-Diff Estimate as a Regression for Felony and Misdemeanor Offenders

	B	P Value	95% Confidence Interval
Post2008	.03368** (.016)	.036	.00227 .06505
Felony	-.0026 (.016)	.871	-.0039 .02881
Felony*Post2008	-.04923** (.022)	.030	-.0936 -.00480

Since the felony group differed from misdemeanor group in that it contained a larger proportion of African Americans, a subsequent difference-in-difference regression model was estimated controlling for the proportion African American. The results are nearly identical to the results from the reduced form model reported above. The estimated causal effect of felony convictions on voter turnout becomes slightly larger in the model including the proportion African American as a control variable, though the difference is slight. This provides evidence that the previous estimate was biased slightly downwards. This result is intuitive given that the felony group contained a larger percentage of

African Americans, and African Americans were more likely to vote in 2008 than Whites and Latinos. The regression results for the secondary analysis including the proportion African American as a control variable are reported below in table 3.4.

Table 3.4 Diff-in-Diff Estimate as a Regression w/ Proportion African American

	B	P Value	95% Confidence Interval
Post2008	.0318 (.016)	.051	-.0001 .0636
Felony	-.0015 (.016)	.927	-.0332 .0302
Felony*Post2008	-.0516** (.022)	.024	-.0965 -.0066
African American	-.011 (.024)	.655	-.0571 .0359
African American*Post2008	.0232 (.034)	.489	-.0426 .0890

#### Misdemeanor Convictions and Voter Turnout

A difference-in-difference analysis was also performed to estimate the causal effect of misdemeanor convictions on voter turnout in the 2008 general election. Again, in this analysis the 2004 general election serves as the pre-treatment period and the 2008 general election serves as the post-treatment period. In this difference in difference analysis, misdemeanor offenders exist as the treatment group and non-offenders with shared demographic traits exist as the control group. Contrary to the results produced by

previous studies (Burch 2007), I find no evidence that misdemeanor convictions, while holding sentencing constant, negatively impact voter turnout.

The difference-in-difference estimate of positive 1.5% indicates that misdemeanor offender voter turnout rates increased more between 2004 and 2008 than the rate of voter turnout for non-offenders with shared demographic traits during the same period. The coefficient of interest is not statistically significant with a p-value of .66, so the null hypothesis that misdemeanor convictions had no effect on voter turnout cannot be rejected, as a result hypothesis 2 is supported. Hypothesis 3 is also supported by this finding because misdemeanor convictions had little to no impact on voter turnout while felony convictions considerably reduced ex-felon voter turnout in 2008.

The upward trend in voter turnout for the misdemeanor group between 2004 and 2008 exceeds the upward trend in voter turnout over this same period of time for non-offenders with shared demographic traits and the voting age population at large (United States Elections Project 2012). Misdemeanor voter turnout increased 3.4% between 2004 and 2008 as compared to the non-offender group and the voting age population in the U.S., which demonstrated increases in voter turnout of 1.7% and 1.4% respectively over this same period. This provides evidence that misdemeanor convictions did not negatively impact voter turnout in 2008. A graph and corresponding regression table provide the results of the analysis below.

Figure 3.2 Estimated Treatment Effect of Misdemeanor Convictions on Voter Turnout

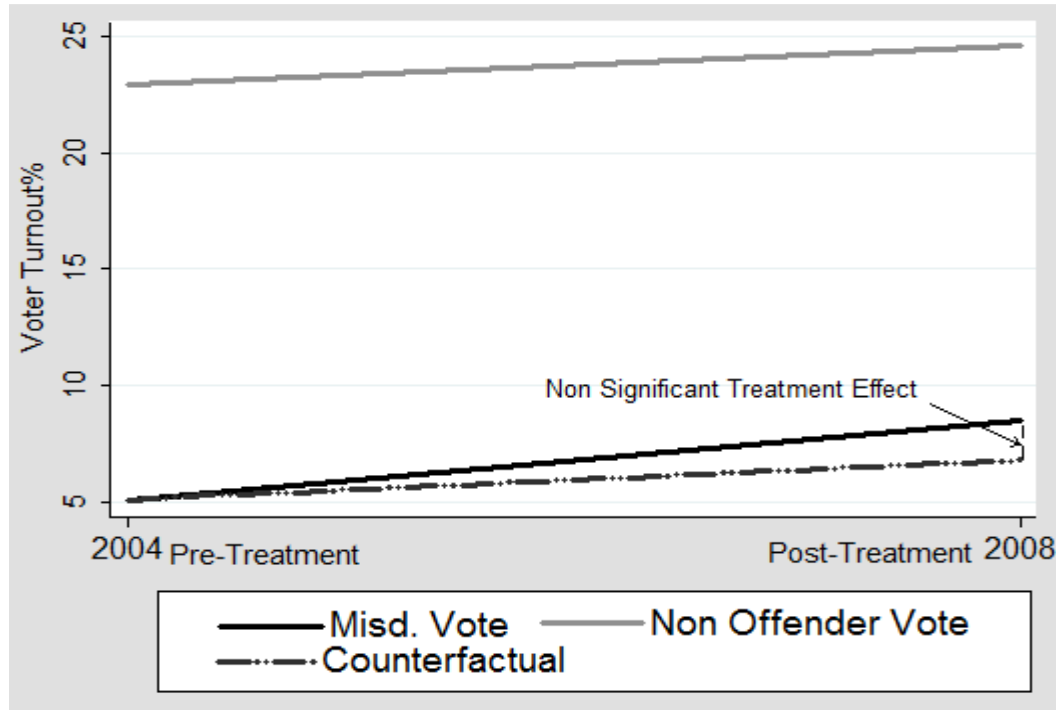


Table 3.5 Diff-in-Diff Estimate for Misdemeanor and Non-Offenders

	B	P Value	95% Confidence Interval
Post2008	.0181 (.025)	.470	-.0310 .0673
Misdemeanor	-.1787*** (.025)	.000	-.0039 -.02881
Misd*Post2008	.0155 (.035)	.661	-.0936 .00480

Although felony convictions reduced levels of voter turnout amongst felony offenders in 2008, an examination of voter turnout in 2012 for ex-felony offenders suggests that the negative effects of felony convictions on voting may be mitigated over time. Only the ex-felon group demonstrated an increase in voter turnout from 2008 to 2012, as voter turnout for ex-felons increased 2.6%. Trends in voter turnout for non-offenders and misdemeanor offenders remained stable between 2008 and 2012. Between 2008 and 2012 misdemeanor voter turnout decreased by .2% and for non-offenders with shared demographic traits voter turnout remained stable at 24.6%. Since ex-felony offenders experienced a slight increase in voter turnout between election years 2008 and 2012, while the other groups remained stable, the data suggests that the negative impact of felony convictions on voter turnout is mitigated over time. Since no felony offenders in this sample received subsequent convictions, it is likely that as ex-felons began to recover mentally and economically from their felony conviction, they developed an increased capacity to participate in politics. Additionally, as felony offenders recover from the negative consequences associated with felony convictions, it is likely that ex-felony offenders begin to become aware of rights they retain post-conviction such as the right to vote.

To statistically test the hypothesis that the negative impact of felony convictions on voter turnout will last for multiple election periods, another difference-in-difference model was constructed, this time 2012 was used as the post treatment period. Pushing the post treatment period back, provides the opportunity to test if the causal effect of felony convictions on voter turnout is a lasting effect, or if the effect dissipates over time. In this

subsequent analysis, misdemeanor offenders are used as the control group and felony offenders are used as the treatment group. When 2012 voter turnout is used as the post-treatment period, the difference in difference estimate is reduced in magnitude to -2%, indicating that the effect is reduced over time. The corresponding p-value for the coefficient of interest is .39. As a result, the null hypothesis that felony convictions had no impact on voter turnout in 2012 cannot be rejected and hypothesis four is rejected.

Although statistical significance is not obtained, it would be wrong to come to the conclusion that felony convictions do not have any lasting effect on voter turnout. Literal interpretation of the p-value .39 for the coefficient of interest suggests that, more likely than not, an observed effect is present, however, in approximately 40% of studies the null hypothesis will be true. The regression results of this subsequent analysis are reported below in table 3.6.

Table 3.6 Difference-in-Difference Estimate: 2012 as the Post-Conviction Period

	B	P Value	95% Confidence Interval
Post2012	.0336** (.017)	.048	-.0002 -.0670
Misdemeanor	-.0026 (.017)	.879	-.0359 .0308
Misd*Post2012	-.0207 (.024)	.390	-.0679 .0265

### Parallel Trends

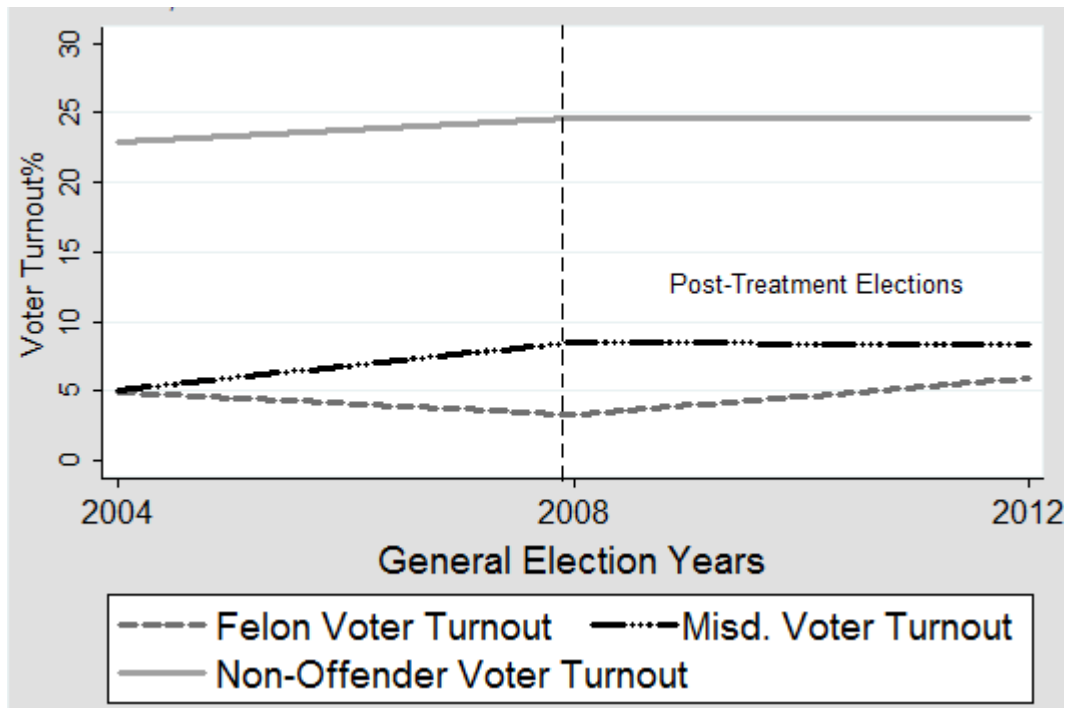
The identifying assumption of the difference-in-difference design is the parallel trends assumption. The parallel trends assumption indicates that in the absence of treatment, both the treatment and control groups would have demonstrated the same trends in measurable behavior over time (Angrist and Pischke 2009). Trends across groups are rarely perfectly parallel, so the amount of bias in a difference-in-difference estimate is often matter of degree. Small deviations of the parallel trends assumption will not produce majorly biased estimates and may be tolerated, but largely biased estimates can result when the parallel trends assumption is excessively violated (Khander, Koolwal & Samad 2010).

The parallel trends assumption is a non-testable assumption however, multiple methods may be used to provide evidence in support of parallel trends. Increasing the number of time periods data is collected for, and adding additional control groups to the study may provide evidence supporting the assumption of parallel trends (Meyer 1995). In an effort to provide evidence in support of the parallel trends assumption, voting records for the treatment and control groups were collected for three presidential election cycles 2004, 2008 and 2012. Additionally, the non-offender group with shared socio-demographic traits was added as an additional control group. The voter turnout rates for all three groups over the three election periods are displayed below in table 6. Graph 3.3 graphically displays the trends in voter turnout rates for the felony offender, misdemeanor offender, and non-offender groups between 2004-2012.

Table 3.7 Voter Turnout Rates for all Groups (2004-2012)

	Pre-Conviction (2004 General Election)	Post-Conviction (2008 General Election)	Post Conviction (2012 General Election)
Felony Offenders	4.9%	3.3%	5.9%
Misdemeanor Offenders	5.1%	8.5%	8.3%
Non Offenders	22.9%	24.6%	24.6%

Figure 3.3 Parallel trends in voter turnout 2004-2012





## Conclusions

Prior research has not been able to isolate the impact of criminal convictions on voter turnout as this study has done. Existing research has shown that criminal offenders demonstrate depressed levels of voter participation post-incarceration but it has not determined whether criminal convictions or subsequent punishment, is responsible for the decline. Because the data set used for this analysis included ex-offenders who received the same sentence, 1 year of probation but different convictions, either felony or misdemeanor, it allowed for the causal effect of criminal convictions on voter turnout to be estimated using a quasi-experimental design.

Previous research has found that misdemeanor and felony convictions are correlated with reduced levels of political participation (Burch 2007; Weaver and Lerman 2010), however, existing research has not established a causal relationship. Studies using cross-sectional data and regression to establish a negative relationship between criminal convictions and political participation likely suffer from omitted variable bias. For example, unobservable characteristics such as asocial personality traits are likely correlated with both the likelihood of criminal convictions and reduced levels of political participation. As a result, cross sectional studies likely overestimate the negative impact of criminal convictions on voter turnout.

Studies using panel data to show that ex-offender voter turnout is dramatically lower post-conviction as opposed to pre-conviction, also fail to produce an unbiased estimate of the causal effect of criminal convictions on voter turnout. For example,

negative life events such as the loss of a job may cause an individual to commit a criminal offense and also be the cause of non-participation in politics. Studies using panel data to estimate the causal effect of criminal convictions on voter turnout may wrongly attribute the decline in post-conviction voter turnout to criminal convictions, ignoring the influence of simultaneously occurring negative life events.

An advantage of using the difference-in-difference design is that it allows for all time-invariant unobservable traits to be differenced out, and therefore controlled for thus reducing the threat of omitted variable bias. Also using misdemeanor offenders as the control group in the difference-in-difference estimation allows for bias introduced by negative life events to be mitigated, as both ex-misdemeanor and ex-felony offenders in the sample committed similar types of offenses prior to voting in 2008. The results of the difference-in-difference analysis provide evidence that only felony convictions negatively impact voter turnout.

The results of this study provide evidence that the felon label, independent of criminal sentence, has a negative effect on voter turnout. This indicates that contact with the criminal justice system alone, does not reduce voter turnout. These findings, when combined with the findings of previously conducted qualitative research, revealing that identification as a convicted felon leads to misperceptions about personal voting rights (McCahon forthcoming) suggests that misinformation is a factor negatively influencing ex-felon voter turnout.

Caution however should be taken when attempting to generalize these findings to the offender population in the United States. Being a felon in one state is very different from being a felon in another state, as the sanctions and restrictions that offenders encounter vary by jurisdiction. For example, in states such as Vermont and Maine felon disenfranchisement has never existed. Given that these states have never disenfranchised ex-felons, stigma attached to the felon label may be less, and as a result, ex-felons may be less likely to misinterpret their voting rights. Additionally, because some states prevent misdemeanor offenders from voting while incarcerated or on probation, misdemeanor convictions may also create increased misperceptions about ex-offender voting rights that may translate into lower rates of ex-misdemeanant voter turnout. As a result, in restrictive offender disenfranchisement states, both felony and misdemeanor convictions may be negatively correlated with voter turnout. To build upon this study, future research should carryout similar quasi-experimental studies in additional states to test the generalizability of these findings.

### Policy Conclusions

Though most states do not permanently ban ex-felons from voting, the idea that former felons can't vote seems to exist as a false truism in the United States. Historical exclusion and restrictions on felon voting in many states have produced a dominant narrative indicating that "felons can't vote". Ex-felony offenders eligible to vote often wrongly believe they are disenfranchised, though at the same time, many express an

interest in voting. This confusion regarding ex-felon voting eligibility, I argue translates into reduced levels voter turnout amongst ex-felony offenders.

Information for ex-offenders regarding their post-conviction voting rights is often made available on government websites, or in few states, provided to ex-offenders in discharge packets. Felon voter notification laws which require that voting rights information be disseminated to offenders upon discharge, via letters in discharge packets have not shown to be effective in increasing levels of ex-felon voter turnout (Meridith and Morse 2014). Disseminating information in this manner to ex-felons is problematic because it is not likely to be comprehensible to ex-felons. As evidence of this, two thirds of ex-felony offenders lack basic literacy skills (Enders, Paterniti & Meyers 2005), and 75% have never used a computer (Amodeo, Jin and Kling 2009).

Since ex-felons have many barriers that prevent them from understanding voting rights laws specific to their states, I suggest that probation and parole departments provide courses for ex-offenders informing them of their post-conviction political rights. Imposition of the felon label causes ex-felons to view themselves as outcasts in society, and the existence of felon disenfranchisement laws further stigmatizes ex-felony offenders. Criminological theories such as role accumulation theory, suggest that the more pro-social roles ex-offenders assume, the greater their chances are of desisting from crime in the future (Martinez 2010). Civic reeducation exists as a relatively costless tool that probation and parole departments can use to assist ex-felony offenders during the reintegration proce

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## Chapter 4: Ex-felon Knowledge of Voting Rights and the Impact of Informing Ex-Felons of Their Voting Rights on Interest in Civic Engagement

### Abstract

Research has shown that individuals with felony convictions vote at dramatically lower rates than individuals with shared traits but without felony convictions. Scholars have either argued that felon disenfranchisement laws reduce ex-felon voter turnout through formal exclusion, or that negative consequences stemming from criminal convictions decrease ex-felon voter turnout. In this chapter, I alternatively argue that ex-felon voter turnout is diminished because ex-felons often wrongly believe they are disenfranchised even after their voting rights have been formally restored. The findings from this study indicate that nearly half of eligible to vote, former felons in California wrongly believe they are disenfranchised. I also find that, providing correct voting rights information to former felony offenders positively impacts their knowledge of voting rights, desire to vote in upcoming elections and interest in politics and public affairs.



## Introduction

Though a long history of offender exclusion from the electorate exists in the United States, the reality is that most ex-offenders remain eligible to vote. Estimates provided by Shannon et al., (2011) indicate that nearly 93% of ex-offenders formerly incarcerated are eligible to vote. While many ex-offenders remain eligible to vote, the existing felon disenfranchisement literature indicates that most ex-felons who retain the right to vote rarely participate in politics through voting (Miles 2004; Burch 2007; Haselswerdt 2009).

Exceptionally low voter turnout rates demonstrated by ex-felony offenders have garnered the attention of policy makers and organizations seeking to boost voter turnout in communities of color. Since the 1960's a trend has existed in the U.S. of states softening restrictions on ex-offender voting, although, not fully eliminating the practice of felon disenfranchisement (Porter 2010). In this chapter, I quantitatively estimate the extent of misinformation existing in the ex-felon population, and estimate the impact of providing accurate voting rights information to ex-felony offenders, on their interest in voting in future elections, politics, public affairs and trust in government.

Specifically I ask, what impact does providing ex-felony offenders with accurate information regarding their voting rights, have on their understanding of their right to vote, desire to vote in future elections, trust in government and overall interest in politics and public affairs? The results of this study indicate that just over half of eligible to vote, former felony offenders wrongly believe they are disenfranchised. Additionally, the

results of the experiment reveal that providing ex-felony offenders with information regarding their voting rights, increases knowledge of voting rights, desire to vote in future elections and general interest in public affairs and politics. Limited evidence was produced by this study to suggest that providing ex-felony offenders with accurate information regarding their right to vote impacts levels of trust in government.

### Literature Review

Scholars have highlighted different mechanisms to explain the robust negative relationship between felony convictions and voting (Burch 2007, Weaver and Lerman 2010, Manza and Uggen 2006). Felon disenfranchisement laws have been recognized as one factor leading to reduced levels of voter turnout demonstrated by ex-felony offenders (Uggen and Manza 2002; Manza and Uggen 2006). Other scholars have disagreed, believing that felon disenfranchisement laws have little impact on ex-felon voter turnout (Miles 2004, Burch 2007). Miles (2004) argues that felon disenfranchisement laws do not meaningfully impact voter turnout because the population prevented from voting by disenfranchisement laws, former felons, are already unlikely voters. Scholars arguing that the impact of felon disenfranchisement laws on voter turnout has been overstated, have argued that contact with the criminal justice system, and not disenfranchisement, exists as the primary mechanism leading to reduced voter turnout amongst ex-felony offenders (Burch 2007; Weaver and Lerman 2010; Lerman 2013).

Panel data collected on voting eligible ex-felons, both pre conviction and post-conviction, provides evidence that contact with the criminal justice system reduces both

voter registration and turnout. Haselswerdt's (2009) cohort study in New York State, revealed that eligible to vote ex-felons released from parole were over 20% less likely to be registered to vote post-conviction, as compared to pre-conviction. Haselswerdt's study also revealed that ex-offender voter turnout in New York State during the 2004 general election was just 5%, dramatically lower than that of the identified comparison group. The argument that contact with the criminal justice system negatively impacts ex-offender levels of political participation has been bolstered by research findings indicating that as contact with the criminal justice system increases in severity, levels of political participation decrease (Weaver and Lerman 2010).

Scholars have largely ignored misinformation amongst ex-felons and the false belief of disenfranchisement as a mechanism capable of explaining the negative relationship between contact with the criminal justice system and voting. Recently however, a growing literature in political science has begun to explore the effectiveness of post-felony conviction informational interventions on ex-felon voter turnout. This recent strand of research has examined the impact of felon voting rights notifications laws on ex-felon voter registration and turnout (Meredith and Morse 2013, Meredith and Morse 2014).

Felon voting rights notification laws passed over the past decade in several states, require government agencies to disburse materials to ex-felons, informing them of their right to vote when their voting privileges have been restored. An untested assumption of this research, one that I explicitly test in this study, is that a sizable proportion of ex-

felons fail to vote because they wrongly believe they are disenfranchised. Findings from existing research have revealed inconclusive results, either finding that informing ex-felons of their right to vote increases voter registration and turnout (Meredith and Morse 2013), or that informing ex-felons of their right to vote has no effect on voter registration and turnout (Meredith and Morse 2014).

Meredith and Morse (2013) use a quasi-experimental discontinuity design to estimate the effect of a change to Iowa's electoral policy on ex-felon voter turnout. The 2005 change in Iowa's electoral policy restored the right to vote upon discharge, to ex-felony offenders released from custody between July 4<sup>th</sup>, 2005 and September 30<sup>th</sup> 2008. The policy change additionally required ex-felons released during this period to be sent a formal certificate from the Iowa Governor's Office informing them of their right to vote prior to the 2008 general election. Ex-felons released prior July 4<sup>th</sup> 2005 were retroactively made eligible to vote in the 2008 general election but did not receive any notification informing them of their eligibility to vote in the 2008 general election. In this quasi-experimental discontinuity study, ex-felon's released between July 4<sup>th</sup> 2005 and September 30<sup>th</sup> 2008 are the treatment group, and ex-felons released prior to July 4<sup>th</sup> 2005 are the control group. This quasi-experimental design allowed Meredith and Morse (2013) to estimate the impact of informing ex-felony offenders of their right to vote prior to a major election, on voter turnout. Meredith and Morse (2013) find that the treatment condition of receiving a formal letter from the Governor's Office indicating ex-offenders eligibility to vote in the 2008 general election, increased ex-felon voter turnout between 3% and 6%.

More recent scholarship produced by Meredith and Morse has, however, produced contradictory findings. Meredith and Morse (2014) construct a similar discontinuity design using the time period that felon voting rights notification laws were rolled out in New Mexico, New York and North Carolina to examine the effect of felon voting rights notification laws on voter registration and voter turnout. In the three states examined, information regarding the felon voting rights restoration process was provided to ex-felons upon release from custody in written form, either in the form of a certificate, or as a single document as part of a larger discharge packet. Meredith and Morse (2014) find that voting rights notification laws as implemented in the three states studied, did not significantly increase levels of voter registration or voter turnout amongst ex-felony offenders. After considering the conflicting findings of the studies by Meredith and Morse, a question that must be asked is, why did providing ex-felons with information regarding their right to vote increase participation in the case of Iowa but not in the cases of New Mexico, New York and North Carolina?

One potential explanation is that voting rights information, as provided in New Mexico, New York and North Carolina, was not made accessible to ex-felony offenders. Although ex-felony offenders in these three states were provided with discharge documentation containing information on the voting rights restoration process, it is possible that individuals receiving the information had trouble reading the documents, or chose not to read all components of their discharge paperwork. Given that nearly 2/3 of ex-felony offenders have been found to be functionally illiterate (Enders, Paterniti & Meyers 2005), this proposed explanation seems possible. In the concluding section of

Meredith and Morse (2014), they recognize this very point, and add that documents given to ex-offenders containing information regarding their right to vote was often presented obscurely amongst many other densely worded documents.

In the case of Iowa, moderate increases found in ex-felon levels of political participation may be attributable to multiple factors, including factors unrelated to the treatment condition. First, the information provided to ex-felony offenders by the Governor's office prior to the 2008 general election contained only information regarding voting eligibility requirements and was not provided as part of a larger packet. As a result, the information disbursed in Iowa may have been more accessible to ex-felony offenders, especially to those that had limited literacy skills. Additionally, a problem with identifying the informational letter (treatment condition) as the causal factor responsible for increasing ex-felon voter turnout in Iowa, is that the treatment and control groups differed in ways other than one group receiving the treatment that are also likely correlated with voter turnout. For example, the treatment group was eligible to vote upon being released from custody, while the control group was ineligible to vote upon release from custody and only became eligible to vote after their voting rights were restored retroactively. This difference across the designated treatment and control groups exists as a potentially confounding factor if voter eligibility at the time of release is correlated with voter turnout.

The most recent research study in this vein is a large scale field experiment conducted by Gerber et al. (2014). Their field experiment estimates the causal effect of

an offender outreach campaign in Connecticut that aimed to increase ex-felon voter participation during the 2012 general election. Approximately one week and a half prior to the 2012 general election registration deadline, ex-felons in the treatment group were mailed a letter from the Connecticut Secretary of State's office informing them that "according to our records you are eligible to register and vote". Also included in the letter from the Connecticut Secretary of State's Office was general information about the upcoming 2012 election and appeals to civic duties and responsibilities to vote. A subset of the treatment group received an "assurance condition". Ex-felons in the "assurance condition" subset were told that once they registered to vote, no questions would be asked about their history. According to Gerber et al. (2014) the treatment conditions increased voter registration by 1.7% and voter turnout by approximately 1% as compared to the control group. No statistically significant differences were found across the two treatment conditions.

The average treatment effects in this study are statistically significant although modest. It is important to note that the treatment conditions in this study were innocuous and made no mention of criminal status in the letters. The letters sent to former felons encouraged political participation by informing recipients that the state believed they were eligible to vote, and by appealing to beliefs in civic duty and responsibilities to vote. The letters did not, however, explain to recipients how their past conviction(s) impacted their ability to vote in future elections, and additionally did not explicitly address false perceptions ex-felons may have about felon disenfranchisement.

The studies discussed above provide some initial evidence that ex-felon registration and turnout may be increased through outreach campaigns prior to elections. The studies do not however, reveal if increases in participation are directly attributable to educating ex-felons about their voting rights, or if the increases in participation are the result of providing ex-felons already aware of their voting rights, with encouragement to register and vote prior to elections. As a result, the assumption that many ex-felons wrongly believe they are disenfranchised remains untested. While existing research has examined if ex-felon voter turnout can be increased, this paper examines the mechanism, and specifically explores how educating former felons about their voting rights influences their knowledge of personal voting rights, interest in voting, attitudes towards government and general interest in politics and public affairs.

Interestingly, studies of non-felons similarly show that appeals civic duty and reminders to vote also produce increases in both voter registration and voter turnout (Gerber and Green 2000, Arceneaux and Nickerson 2009). This fact should raise questions as to whether the increases in ex-felon voter participation found in Gerber et al. (2014) are attributable to informing ex-offenders of their right to vote, or the result of reminding individuals already aware of their right to vote, to vote in upcoming elections. As a result, additional research needs to examine how providing ex-felons with accurate information regarding their voting rights, leads them to engage politics in ways they otherwise would not have, had they not been educated about their right to vote. This study begins to fill this gap by identifying how providing ex-felons with correct



information regarding their voting rights influences their attitudes towards government and general interest in public affairs and politics.

### Data and Methods

California, as compared to many other states has less restrictive criminal disenfranchisement laws. Once former felony offenders are no longer on parole, mandatory supervision, or post release community supervision their voting rights are automatically restored<sup>4</sup>. With the assistance of the Riverside County Probation Department IT Division, a list of voting eligible ex-felony offenders was generated. Individuals with past felony convictions that started probation after January 1, 2012, and that had been in the community for at least one year without violating their probation were included in the sample. The above selection criteria limited the sample to ex-felony offenders with recently updated contact information, who had successfully completed their probation and were at the time of creating the list eligible to vote. The final sample generated contained the names and addresses of 3,196 voting eligible ex-felony offenders in Riverside County California.

Individuals that remained in the sample were sent a community reintegration survey by mail that contained 30 questions and was designed to assess former felony offender levels of civic engagement after having been in the community for at least one year. Individuals were sent either a treatment or control survey. The treatment survey

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<sup>4</sup> Offenders under Mandatory Supervision and Post Release Community Supervision are AB 109 prison realignment offenders. Since October of 2011 realigned offenders have been supervised county probation departments instead of the California Department of Corrections and Rehabilitation.

was identical to the control survey with one exception. The treatment survey contained a statement taken from the California Secretary of State's website, plainly explaining the ex-felon voting rights restoration process in California. The statement provided by the California Secretary of State was placed in the treatment survey just prior to the section of the survey that contained questions included to measure levels of civic engagement. Participants that received the control survey also received the statement provided by the California Secretary of State's office, explaining the ex-felon voting rights restoration process, however, they were not given the statement until after they had completed the entire survey.

The statement provided in the surveys from the California Secretary of State read: Done with parole, mandatory supervision, or post release community supervision. Your right to vote is automatically restored when parole or supervision is done. This means that once your supervision is completed your right to vote is automatically restored in California (Secretary of State—State of California). It is important to note, that the statement does not encourage former felony offenders to vote by highlighting voting as a civic duty, or by describing voting as a responsibility. The statement included simply explains the voting rights restoration process for ex-felony offenders in California in a plain and concise manner.

Using random.org coin flip option, 1,598 individuals were selected at random to receive the treatment survey. The remaining 1,598 individuals were selected to receive the control survey. Of the 3,196 surveys sent out, 195 were returned. The response rate

of 6% is low compared to the average mail survey response rate of between 10-15%. Since the target population for this study often struggles to maintain permanent housing, this low response rate was unsurprising.

A comparison of the demographic characteristics across the treatment and control groups after random assignment of the treatment condition indicates that the randomization procedure produced a balanced sample. Table 4.1 below provides descriptive statistics across the treatment and control groups. To more precisely test if the randomization procedure resulted in balance across the groups, an omnibus balance test was conducted (see Hansen and Bowers 2008). The omnibus balance test compares the null hypothesis of balance against the alternative hypothesis of lacking balance. The omnibus balance test uses a chi-square distribution; p-values close to .5 are indicative of randomized designs (Fredrickson 2010). The overall result of the omnibus balance test is reported below in table 4.2 and indicates the sample is balanced. For the interested reader, the standardized differences in means across demographic characteristics for the treatment and control groups used to calculate the overall omnibus balance test statistic are included in appendix C.

Table 4.1 Descriptive Statistics by Treatment and Control Groups

Demographic	Control	Treatment
Gender	69.4%(M) 30.6% (F)	67.3%(M) 32.7%(F)
Age	38.6	41.4
Race		
White	62.3%	58.6%
African American	6.3%	8.3%
Asian	2.1%	2.3%
Native American	2.1%	1.2%
Hispanic	27.1%	29.6%
%Employed	37.5%	34.5%
Avg. Income	28,750	27,100
Avg. Educational Attainment	11.9	12.0
%Married	41.6%	42.9%
%Personal Vehicle	52.1%	57.5%
%Homeless/Assisted Living	14.9%	10.1%
Years Incarcerated	2.35	2.44
N=195	80	115

Table 4.2 Omnibus Balance Test

Chi-square	17.2
Degrees of Freedom	19
P-Value	.577
$\alpha$ .	.05

Questions included in the civic engagement section of the surveys were used as outcome measures to assess respondent knowledge of voting rights, desire to vote in upcoming elections, interest in public affairs and trust in government. A sample of these survey questions is provided below. For the interested reader, a complete copy of the treatment and control surveys can be found in appendix D. Note that in the results section of this paper, response categories were collapsed so that the experiment results could be more meaningfully interpreted.

## Survey Questions

Thinking about future elections in the years to come how likely is it that you will vote in either local or national elections? (select one choice only)

Very likely	
Likely	
Not likely, I am not interested	
I can't vote due to my conviction(s)	

Some people seem to follow what's going on in government and public affairs most of the time, whether there's an election going on or not. Others aren't that interested. Would you say you follow what's going on in government and public affairs (select one choice only)

Most of the time	
Some of the time	
Only now and then	
Hardly at all	

How often do you discuss politics with others? (select one choice only)

Weekly	
Once a Month	
A few times a year	
Hardly at all	

How much of the time do you think you can trust the government in Washington to do what is right-- just about always, most of the time or only some of the time? (select one choice only)

Just about always	
Most of the time	
Only some of the time	
Never trust government	

## Hypotheses

H1: The percentage of respondents in the treatment group that indicate they can't vote due to their status as a convicted felon, will be significantly less than the percentage of respondents in the control group indicating that they can't vote because of their status as a convicted felon..

H2: The percentage of participants in the treatment group that indicate they plan on voting in upcoming elections will be significantly greater than the percentage of participants in the control group that indicate they plan on voting in upcoming elections.

H3: A greater percentage of participants in the treatment group will indicate interest in public affairs after receiving the treatment condition, as compared to respondents in the control group.

H4: After receiving the treatment condition, a significantly greater proportion of respondents in the treatment group will indicate they discuss politics with others on a regular basis, as compared to respondents in the control group.

H5: A significantly larger percentage of respondents in the treatment group will indicate they trust government, as compared to respondents in the control group.

## Results

Reported below in table 3 in the column labeled difference, is the estimated average treatment (ATE) effect of the treatment condition. The ATE is calculated as follows:  $\mu_{Y(1)} - \mu_{Y(0)}$ , where  $\mu_{Y(1)}$  is the average value for the treatment group and  $\mu_{Y(0)}$  is the average value for the control group. Linear regression models including covariates were also used to calculate ATE's so that the robustness of the results could be examined. Linear regression allows the ATE's to be estimated while simultaneously adjusting for covariates (Gerber and Green 2012). As expected, the statistically significant average treatment effects reported below in table 3 are robust to the inclusion of covariates. For those interested, the results of the regressions run, including covariates are provided at

the end of this dissertation in appendix E. The robustness of these results is not surprising due to the random assignment of the treatment condition and because the sample is balanced, however, the results of the regressions including covariates provide additional support for the reported findings.

#### Knowledge of Voting Rights and Likelihood of Voting in Future Elections

The results from this experiment indicate that providing ex-felony offenders with accurate information regarding their voting rights increases their interest in voting in future elections and knowledge of voting rights. Only 26.3% of respondents in the control group indicated that they were “likely vote” in upcoming elections, as compared to 51.8% of respondents in the treatment group. The ATE, or difference in means across the two groups is large at 25.4% and is statistically significant at the  $P > .01$  level. Thus, providing ex-felony offenders with a concise statement explaining their voting rights to them but not encouraging them to vote, had a sizable impact on their stated likelihood of voting in future elections.

The share of eligible to vote ex-felony offenders that wrongly indicated they were disenfranchised as a result of their felony conviction(s) also differed across the treatment and control groups. Just over half (50.9%) of participants in the control group indicated wrongly that their felony conviction prevented them from voting, as compared to 28.2% of participants in the treatment group. The estimated average treatment effect of the treatment condition of 22.6% is statistically significant at the  $P > .01$  level. These findings provide strong evidence that providing voting rights information to ex-felony offenders

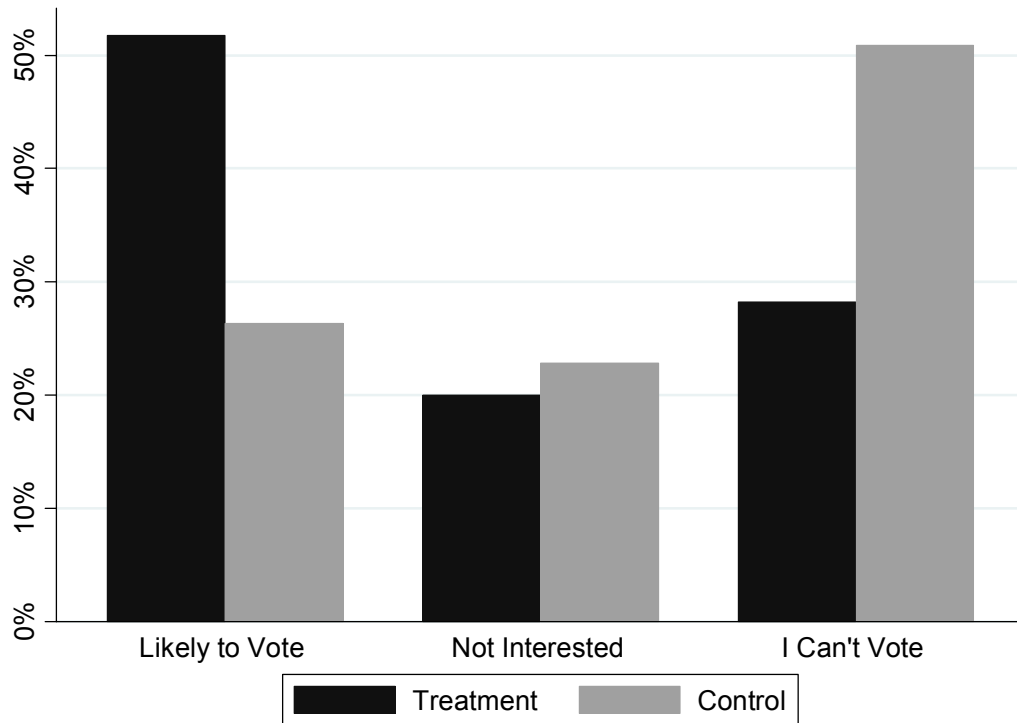


improves their knowledge of their voting rights. Table 4.3 below provides the results of the experiment across all outcome measures.

Table 4.3 Difference in Outcomes across Treatment and Control Groups

Outcomes	Treatment	Control	Difference	P-Value
Voting				
%Likely to vote	51.76	26.32	25.44	.002
%Not Interested in voting	20.00	22.81	-2.81	.690
%I can't vote	28.24	50.88	-22.64	.006
Interest in Public Affairs				
%Follow public affairs	56.47	28.80	27.65	.001
%Follow public affairs now and then	20.00	23.73	-3.73	.595
%Follow public affairs hardly at all	23.53	47.46	-23.93	.003
Discuss Politics				
%Discuss politics at least monthly	40.00	25.42	14.58	.07
%Discuss Politics a few times a year	21.18	15.25	5.92	.374
%Discuss politics hardly at all	38.82	59.32	-20.50	.015
Government Trust				
%Trust government	26.51	28.07	-1.56	.839
%Trust government some of the time	53.01	42.11	10.9	.207
%Never trust government	20.48	29.82	-9.34	.208

Figure 4.1 Likelihood of Voting by Treatment and Control Groups

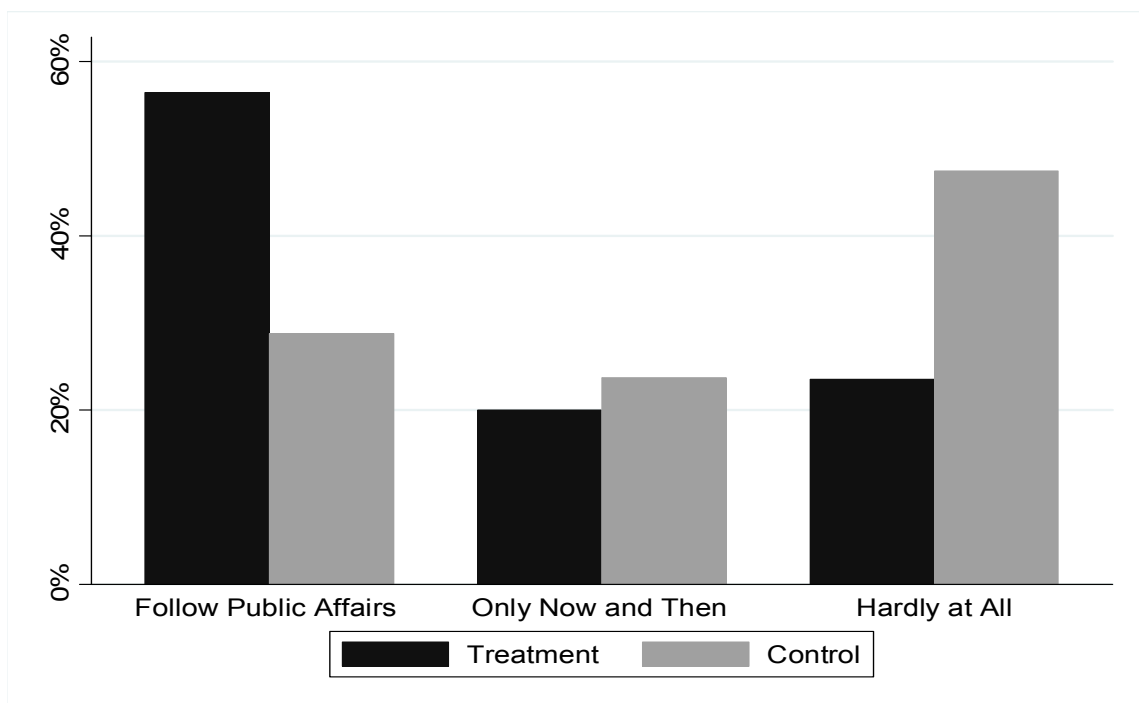


#### Interest in Public Affairs

Providing ex-felony offenders with accurate information about their voting rights also had a positive effect on respondent stated levels of interest in public affairs. Of participants in the treatment group, 56.5% indicated that they follow public affairs “at least some of the time”, as compared to just 28.8% of respondents in the control group. The average treatment effect of 27.7% is large and statistically significant at the  $P > .01$  level. The proportion of each group indicating that they follow public affairs “only now and then” was not largely influenced by exposure to the treatment condition. Approximately 20% of both groups indicated that they follow public affairs “only now

and then”. The share of respondents in the control group that indicated “they hardly at all follow public affairs” was much larger than the share of respondents in the treatment group that indicated “they hardly at all follow public affairs”. While only 23.53% of participants in the treatment group indicated they “hardly at all follow public affairs” 47.6% of participants in the control group indicated they “hardly at all follow public affairs”. The estimated average treatment effect of 23.9% is large and statistically significant at the  $P > .01$  level.

Figure 4.2 Follow Public Affairs by Treatment and Control Groups



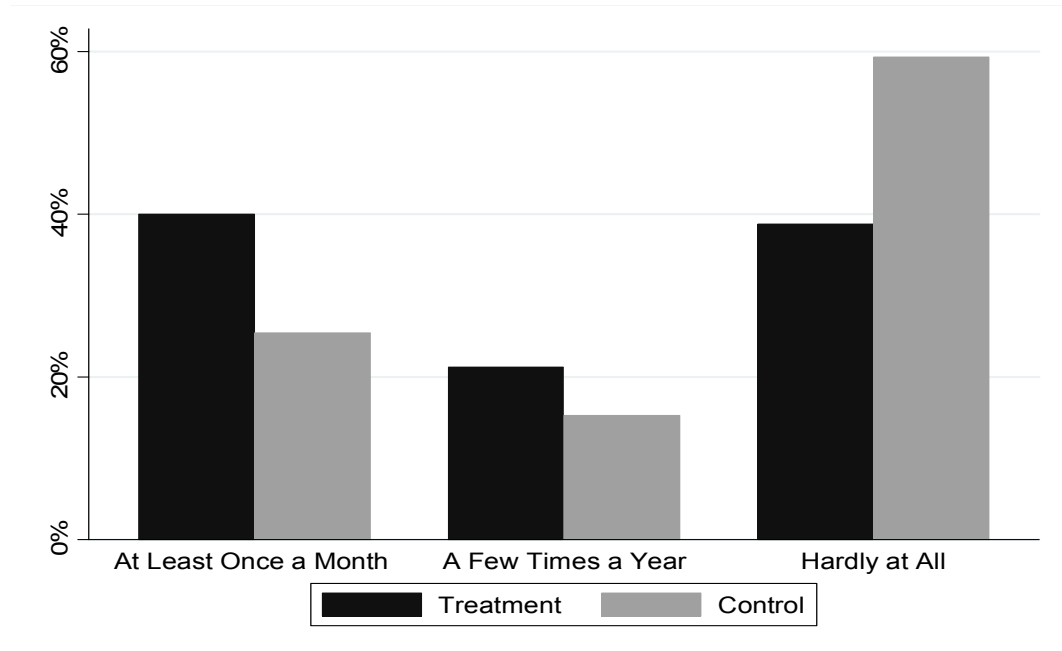
#### Discuss Politics with Others

The proportion of ex-felony offenders in the treatment group that indicated they discuss politics with others “at least once a month” was greater than the proportion of ex-

felony offenders in the control group that indicated they discuss politics “at least once a month”. This finding provides some initial evidence that informing former felons of their voting rights increases interest in politics. Forty percent (40%) of participants in the treatment group indicated they discuss politics at least once a month as compared to just 25.42% of the control group. The difference in means across the two groups of 14.58% with a p-value of .07 is not significant at the conventional  $P > .05$  significance level, however, the trend in the data suggests a relationship likely exists between the treatment condition and the frequency with which individuals indicate they discuss politics.

Just over twenty one percent (21.18%) of participants in the treatment group indicated they discuss politics with others a few times a year as compared to 15.25% of participants in the control group. While just 38.2% of participants in the treatment group indicated they “hardly at all” discuss politics, 59.32% of participants in the control group indicated they “hardly at all discuss politics”. The difference in means between the two groups of 20.5% is statistically significant at the  $P > .05$  level.

Figure 4.3 Discuss Politics by Treatment and Control Groups



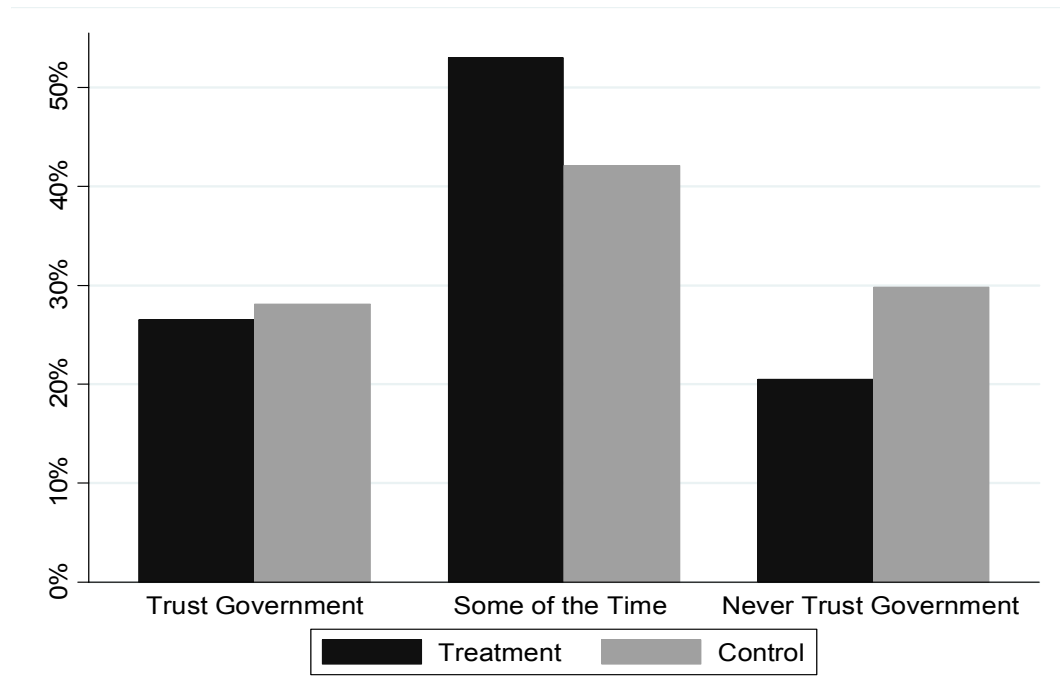
### Government Trust

Limited evidence emerged from this experiment to suggest that providing ex-felony offenders with information about their right to vote impacts their levels of trust in government. Of respondents in the treatment group, 26.5% expressed they trusted government most of the time, as compared to 28.1% of respondents in the control group. The difference in averages between the two groups of 1.56% is not statistically significant at any level.

The share of respondents in the treatment group that indicated they trust government “at least some of the time” was 10.9% greater than the share of participants in the control group that indicated they “trust government at least some of the time”. The

share of participants in the treatment group indicating they “never trust government” was 9.3% lower than the share of participants in the control group indicating they “never trust government”. Of participants in the treatment group 20.48% stated they “never trust government” as compared to 29.82% of the control group. Given the proportion of the treatment group indicating that they “trust government at least some of the time” is greater than the control group, and the proportion of the treatment group indicating they “never trusts government” is less than the control group, a significant relationship may be detectable in a larger sample. Figure 4.4 below demonstrates levels of trust in government across the treatment and control groups.

Figure 4.4 Trust in Government by Treatment and Control Groups



## Discussion

Existing research examining whether post-conviction interventions increase levels of voter registration and turnout amongst ex-felony offenders has produced conflicting findings. Both Meredith and Morse (2013), and Gerber et al. (2014), find that moderate increases in ex-felon voter registration and turnout can be achieved through outreach efforts that encourage ex-felons to vote. An untested assumption of this research, however, is that many former felons are unaware of their right to vote. This research study has explicitly tested this assumption, and found that approximately half of former felons wrongly believe they are ineligible to vote. Though the sample size used to estimate the percent of voting eligible former felons that wrongly believe they are disenfranchised is small  $N=80$ , as compared to the population of interest in Riverside County of  $N=3,196$ , the estimate of 50.9% with a margin of error of  $\pm 10.8$  indicates that a large share of ex-felons wrongly believe they are unable to vote. Of greater importance, this study has shown that providing accurate voting rights information to ex-felony offenders positively impacts their levels of knowledge regarding voting rights, desire to vote in future elections and interest in politics and public affairs.

As a result of participating in this study, many ex-felons learned for the first time that they were eligible to vote in upcoming elections. As evidence of this, ex-felons that received the treatment condition were approximately 23% less likely to wrongly indicate that they could not vote due to their status as a convicted felon. Though many participants likely learned about their voting rights as a result of participation in this



study; 28.2% of participants that received the treatment condition still wrongly indicated they were disenfranchised. These participants likely either failed to read, or understand the excerpt included in the treatment survey intended to inform them of their right to vote. This result may partially be explained by low literacy levels common amongst ex-offenders (Enders, Paterniti & Meyers 2005). As a result, the best way to inform voting eligible ex-felons of their right to vote likely is to provide voting rights information to them verbally. As a result, future research should attempt to estimate the effect of providing accurate voting rights information on civic engagement utilizing different delivery methods that may be more accessible to individuals with low literacy levels.

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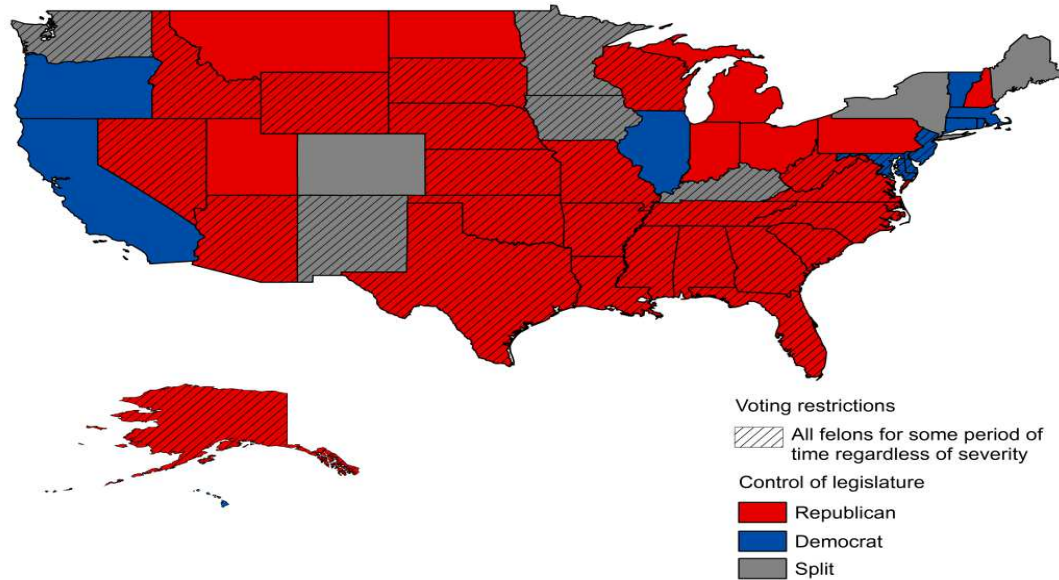
## Chapter 5 Policy Perspectives

The aim of this dissertation has been to uncover how individuals with felony convictions think about felon disenfranchisement laws, and to determine how their understanding of their post-conviction rights, informs their civic attitudes and behaviors. My hope is that the research findings presented in this dissertation, inform decisions made by policy makers, criminal justice professionals, and organizations interested in ex-offender reentry. In this final chapter, I explain why partisan politics makes reforming or repealing felon disenfranchisement laws a difficult and slow process. I argue that while policy change lessening restrictions on ex-felon voting is likely to occur in the future, as public opinion on the issue continues to soften (Porter 2010), it will likely occur incrementally and should be accompanied by ex-offender civic reeducation. Civic-reeducation can be defined as: educating those with felony convictions about how their rights and access to benefits differ from citizens without felony-convictions, informing them of rights and benefits they retain, and lastly informing them of the steps they must take to regain rights or benefits lost as a result of their felony conviction(s). I conclude this chapter by arguing that local probation departments and state parole agencies are best positioned to facilitate civic-reeducation programming for ex-felony offenders.

Though many high profile political figures, liberal and conservative, have called to repeal felon disenfranchisement laws, felon disenfranchisement remains a highly partisan issue (Abdullah 2014). Since felon disenfranchisement laws disproportionately remove African American voters from the electorate, and African Americans since the

1960's have overwhelmingly favored the Democratic Party, states controlled by the Democratic Party are believed to be more likely to reform or repeal existing disenfranchisement laws (Yoshinaka and Grose 2005). At the same time that the continuance of felon disenfranchisement is believed to hurt the Democratic Party, it is believed to strengthen the Republican Party. As evidence of this, it has been estimated that several past elections have been won by Republican Party Candidates because felon disenfranchisement laws suppressed Democratic Party voter turnout (Uggen and Manza 2002, Manza and Uggen 2006). Given that changes in disenfranchisement policy may impact the power dynamic between the two major political parties in the U.S., partisan politics exists as a major hurdle to eliminating, or majorly reforming felon disenfranchisement laws (Conn 2005). Map 5.1 shown below displays the severity of disenfranchisement practices in states, by the party that controls the state legislature. The map illustrates a clear pattern as 22 of 30 (73%) Republican controlled states disenfranchise all ex-felons for at least some period of time, as compared to just 3 of 11(27%) of Democratic controlled states.

Figure 5.1 Disenfranchisement Practices by Partisan Control of the State Legislature



Over the past two decades, nearly half of U.S. states have made piecemeal changes to ex-felon voting laws, mostly trending in the direction of loosening restrictions on ex-felon voting. As a result of such policy changes, it has been estimated that nearly 800,000 ex-offenders have regained their right to vote (Porter 2010). However, individuals that regained their voting rights are not likely to exercise their right to vote, unless they are aware that their voting rights have been restored. Evidence from this study indicates that ex-felony offenders often lack knowledge about their voting rights, as I find that approximately half of eligible to vote, ex-felony offenders, wrongly believed they were disenfranchised even after their voting rights were fully restored by the state of California. Though felon disenfranchisement laws have been amended in states, only a limited number of states mandate that ex-felony offenders be informed of their voter

eligibility status prior to being released from custody. While 46 U.S. states allow ex-felons to regain their right to vote, either through petition, or after their supervision has been completed, only seven states require ex-felons to be informed of the voting rights restoration process in their state (Chung 2014). The seven states that maintain such laws, known as felon voting rights notification laws, are Louisiana, New Jersey, New Mexico, New York, North Carolina, South Dakota and Virginia.

#### Public Safety and Ex-Felon Civic Reeducation

Farrall et al. (2014) argue that criminal disenfranchisement is socially exclusive, and at odds with governments often stated goal of offender rehabilitation. If excluding former felons from the rights and benefits citizenship is at odds with rehabilitation, informing ex-felons that their right to vote has been restored moves in a more rehabilitative direction. Informing ex-felons that they are eligible to vote, or will become eligible to vote soon, is socially inclusive as it provides ex-felons that wrongly believed they were disenfranchised with the opportunity to reengage society through pro-social behaviors. From a public safety perspective, direct benefits may result from educating voting eligible ex-felons of their voting rights, as a robust positive relationship has been established between ex-offender voting and desistance from crime (Uggen and Manza 2004).

In this dissertation I have argued in favor of civic reeducation and focused on the issue of ex-felon voting rights. I believe the practice of civic-reeducation however, encompasses more than just informing ex-felons about their voting rights. From the

interviews I conducted with ex-felony offenders, I learned that many wrongly believe their status as a convicted felon precludes them from receiving benefits, or engaging in activities offered to citizens without felony convictions. In addition to questions ex-felons asked about their right to vote, ex-felons also raised questions about their ability to serve on juries, obtain financial aid for college, access to welfare or food stamps, ability to obtain employment in the public sector, and their eligibility to enlist in the military.

### Providers of Civic Reeducation

Groups or agencies seeking to provide civic reeducation programming to ex-felony offenders need to take into account characteristics common amongst ex-offenders that can make outreach and education difficult. One characteristic of the ex-felon population that makes outreach difficult, is the large proportion of the population that is homeless. As evidence of this, it is estimated that in California, between 30% and 50% of parolees are without permanent housing (Gurley 2011). Given that such a large portion of the ex-felon population lacks stable housing, contacting ex-felons by mail is difficult and may require an extensive financial investment to reach only a fraction of the ex-felon population. Beyond ex-felons being hard to contact, providing accessible information to ex-felony offenders in a way that allows them to retain the information is also challenging. This is because a large portion of the ex-felon population lacks basic literacy skills, and is unable to effectively use new technologies such as the internet to learn about their rights (Fabelo 2000, Enders, Paterniti & Meyers 2005, Amodeo, Jin and Kling 2009). This is especially true for ex-offenders that have spent many years incarcerated.



Given that finding and contacting ex-felons is a difficult task, I argue that probation and parole agencies are best equipped to provide civic-reeducation programming to ex-felony offenders. Non-government organizations that advocate on the behalf of ex-offenders may be able to effectively inform them of their remaining rights or benefits however, they face challenges in contacting ex-offenders that correctional agencies do not. Non-government organizations seeking to provide civic reeducation programming to ex-felony offenders do not have the same access to ex-felony offenders as correctional agencies, as they only come into contact with ex-felons that are receiving their services. In contrast, correctional agencies maintain consistent contact with ex-felony offenders during reentry. To ensure that civic reeducation programming is provided to as many ex-felony offenders as possible, such programming should be required to be completed before they are released from supervision. Since correctional agencies mandate ex-offenders to meet with their supervising officers in person, at least on occasion, correctional agencies have the ideal opportunity to provide accessible civic reeducation programming to ex-felony offenders, verbally in a face-to-face setting. Providing information to ex-felony offenders verbally and in-person, will compensate for literacy challenges that may prevent ex-felony offenders from retaining information presented in written form.

### Conclusions and Directions for Future Research

Chapter 1 of this dissertation put forth a theory to explain how criminal convictions influence civic engagement. Chapter 2 provided insight into how ex-felony

offenders think about their rights post-conviction. Evidence produced from in-depth interviews indicated that felon disenfranchisement laws, and other exclusionary practices, lead ex-felons to wrongly believe they are without rights and benefits they often retain. Nuances in laws which define ex-felon eligibility for rights and benefits were rarely accurately understood by ex-felony offenders. Chapter 3 used a quasi-experimental difference in difference design, to test the impact of felony versus misdemeanor convictions on voter turnout. While felony convictions were found to negatively impact voter turnout, no evidence was produced to suggest that misdemeanor convictions have a similar negative effect on voter turnout. In Chapter 4, the proportion of ex-felony offenders that wrongly believe they are disenfranchised was estimated, and an experiment was conducted to examine the impact of informing ex-offenders of their right vote on attitudes towards government and civic engagement. The results of the experiment revealed that providing ex-felons with accurate information regarding their right to vote positively influences knowledge voting rights, desire to vote in upcoming elections and general interest in politics and public affairs.

Though the findings from this dissertation make a considerable contribution to existing literature on the topics of felon disenfranchisement and prisoner reentry, more research is needed to produce an increased understanding of how misinformation amongst ex-offenders influences post-conviction behavior. Beyond encountering exclusion in voting, ex-felons encounter restrictions that limit their ability to obtain public assistance benefits, receive financial aid, secure housing and find employment. Though laws in many states ban certain ex-offenders from receiving benefits that may

assist them during reentry, such laws are rarely blanket bans affecting all former offenders. Laws that restrict ex-offenders from receiving benefits are often accompanied by exceptions, unknown to ex-offenders that would provide them with access to benefits previously lost, once specific eligibility criteria are met. For example in California, while individuals convicted of felony drug possession are banned from receiving food stamps, their food stamp eligibility is restored once they complete a state recognized substance abuse treatment program. Exceptions such as the food stamp exception are not unique to California, however, for ex-offenders to learn of these exceptions they must be provided with the appropriate information in an accessible format.

Future research should continue to explore gaps between what rights or benefits ex-felons maintain and what they think they maintain. Such research will assist criminal justice agencies develop post-conviction educational programming that will aid ex-offenders during the reentry process. Educating ex-felons about their rights, and what avenues they can turn to for help, exists as an underexplored and cost-effective strategy that should be used by correctional departments to improve post-conviction outcomes for ex-felony offenders.

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Appendix A: Offender Sample by Penal Code Violation

Penal Code Violation	Frequency
71	1
112	1
148	1
166	1
182	1
192	1
236	1
240	3
242	14
243	88
245	4
261	1
270	1
273	80
311	1
415	28
422	21
453	2
459	110
470	9
476	2
484	71
487	5
488	1
496	6
503	2
530	1
535	1
566	1
591	1
594	2
646	2
647	2
666	1
10851	1
10980	1
11350	115
11357	3
11364	4
11377	38
11378	2
11379	2
11550	78
12280	1
20001	1
23152	59

## Appendix B: Estimated Voter Turnout for the Non-Offender Comparison Group

To estimate the voter turnout rate for non-offenders during each of the three election periods examined, data from three GSS supplements was used 2004, 2008 and 2012. The predicted probability of voter turnout for non-offenders with shared socio-demographic was estimated using probit regression models, where scores on socio-demographic variables were set to match those of offenders on probation in Riverside County, California. Socio-demographic data on offenders was collected for the following variables, educational attainment, work status, age and racial identification. To ensure that the final estimate of voter turnout for a given election was based on a sample of non-offenders that had the same racial and gender composition as offenders in Riverside County, predicted probabilities were calculated separately by gender and race. The overall rate of turnout for a given election was then calculated after weighting scores appropriately based on gender and racial composition. To illustrate how turnout rates were estimated the table below demonstrates how overall non-offender turnout was calculated for the 2004 general election.

The second column from the right indicates the racial and gender composition of offenders in Riverside County as a percent. The third column from the right includes the predicted probabilities of voter turnout in the 2004 election, for non-offenders by gender and race, with the same mean scores on the socio-demographic variables as offenders in Riverside County. The scores were then weighted appropriately and summed to estimate non-offender voter turnout for the 2004 general election.

Voter Turnout Calculation for the Non-Offender Group 2004

Race and Gender	% of Group by Race and Gender	GSS Predicted Probability of Turnout for Non-Offenders	Weighted Score
Latino Male	40%	15.6%	6.24
White Male	32%	31.8%	10.8
Black Male	18%	32.9%	5.59
Asian/Other Male	2%	11.5%	.23
Hispanic Women	4%	18.7%	.74
White Women	3%	36.2%	1.08
African American Women	2%	37.5%	.75
Asian Women	1%	14.1%	.141
			2004 Estimated Turnout 22.9%



Appendix C: Standardized Differences in Means Across Variables

Variable	Standard Difference
Gender	-.10949
Age	.26123
Years Incarcerated	.02113
Marital Status	.03695
Employed	-.08687
Education	.10658
Income	-.03457
White	-.06767
African American	-.00138
Asian	.03056
Native American	-.05766
Hispanic	.00696
Other	.23489
Public Transportation	-.27184
Personal Vehicle	.08426
Bike	.16845
Walk	.07917
Own Home	-.01406
Rent Home	.26729
Live With Family Member	-.23321
Sober Living Facility	.09232
Homeless	-.13290

Appendix D: Copy of Surveys Treatment and Control

**Community Reintegration Survey (treatment)**

We know that individuals with criminal convictions face many obstacles upon release from jail or prison and that overcoming such obstacles plays a major role in facilitating positive community reintegration. We also recognize that having a criminal conviction can make some types of civic engagement difficult. Often times ex-offenders demonstrate a lack of civic engagement but this does not reflect poorly on them but rather is a result of the circumstances they have encountered. The aim of this research project is to help probation departments develop programs that facilitate civic reengagement.

**Directions: Please answer the following questions to the best of your ability by placing an “x” inside the box which most closely represents your answer.**

1) What is your gender?

Male	
Female	

2) What is the month, day and year of your birth? (please fill in the blank spaces)

Month\_\_\_\_\_ Day\_\_ Year\_\_\_\_\_

3) What form of transportation did you most frequently rely on over this past year? (select one choice only)

Public transportation	
Personal vehicle	
Bike	
Walk	

4) What best describes your current living situation? (select one choice only)

Own	
Rent	
Live with family member other than spouse	
Sober living facility	
Homeless	

- 5) In the past 12 months have you ever worked together informally with someone or some group, to solve a problem in the community where you live? If yes, how frequently did you engage in this activity? (select one choice only)

3 or more occasions	
1-2 occasions	
Never	

- 6) In the past 12 months, have you ever spent time participating in any community service or volunteer activity? By volunteer activity, I mean actually working in some way to help others for no pay. (select one choice only)

Yes, on a regular basis	
Yes, but only once in a while	
No, Never	

- 7) In the past 12 months how often have you attended events open to the public such as concerts, farmers markets and sporting events? (select one choice only)

Very frequently over 5 times	
Frequently 2-5 times	
Only once or twice	
Never	

- 8) In the past 12 months, how often have you frequented busy public spaces, such as shopping malls or movie theaters? (select one choice only)

Very frequently, over 5 times	
Frequently, 2-5 times	
Only once or twice	
Never	

- 9) In the past 12 months have you taken part in a march, protest or demonstration. If yes, how many times? (select one choice only)

More than a few times	
Only once or twice	
Never	

- 10) Do you belong to or donate money to any groups or associations either locally or nationally?  
Are you an active member of this group, a member but not active, or have you given money only? (select one choice only)

Active member	
Member but not active	
Money only	
No membership	

- 11) Lots of things come up that keep people from attending religious services even if they want to. Thinking about your life these days, do you ever attend religious services, apart from occasional weddings, baptisms or funerals? IF YES: Do you go to religious services (select one choice only)

Every week	
Almost every week	
Once or twice a month	
A few times a year	
Never	

Civic Involvement: Did you know that in California voting rights are automatically restored to ex-felony offenders once they complete their mandated period felony supervision? See the information below as provided by the California Secretary of State: ***Done with parole, mandatory supervision, or post release community supervision. Your right to vote is automatically restored when parole or supervision is done. This means that once your supervision is completed your right to vote is automatically restored in California (Secretary of State—State of California).***

- 12) Some people seem to follow what's going on in government and public affairs most of the time, whether there's an election going on or not. Others aren't that interested. Would you say you follow what's going on in government and public affairs (select one choice only)

Most of the time	
Some of the time	
Only now and then	
Hardly at all	

13) How often do you discuss politics with others? (select one choice only)

Weekly	
Once a Month	
A few times a year	
Hardly at all	

14) Overall, do you approve or disapprove of the way that Jerry Brown is handling his job as governor of California? (select one choice only)

Approve	
Disapprove	
Don't know	

15) Overall, do you approve or disapprove of the way that Barack Obama is handling his job as President of the United States? (select one choice only)

Approve	
Disapprove	
Don't know	

16) Have you in the past 12 months contacted or visited a public official - at any level of government - to ask for assistance or to express your opinion? If yes, how many times? (select one choice only)

More than a few times	
Only once or twice	
Never	

17) In the past 12 months, did you do any work for one of the parties or candidates? If yes, how many times? (select one choice only)

More than a few times	
Only once or twice	
Never	

18) How much of the time do you think you can trust the government in Washington to do what is right-- just about always, most of the time or only some of the time? (select one choice only)

Just about always	
Most of the time	
Only some of the time	
Never trust government	

19) Generally speaking, do you usually think of yourself as a Republican, a Democrat, an Independent, or what? (select one choice only)

Republican	
Democrat	
Independent (neither)	

20) Thinking about future elections in the years to come how likely is it that you will vote in either local or national elections? (select one choice only)

Very likely	
Likely	
Not likely, I am not interested	
I can't vote due to my conviction(s)	

**Legal History**

21) Have you ever been convicted of a felony offense? (select one choice only)

Yes	
No	

22) Approximately how many years have you spent incarcerated throughout your life? Please include years that you were incarcerated as a juvenile. (select one choice only)

Less than 1 year	
1-5 years	
6-10 years	
11-20 years	
21-30 years	
31-40 years	
41 or more years	

23) If you were incarcerated prior to being placed on probation, when were you released from county jail or state prison? If you have never been incarcerated please skip this question (please fill in the blank spaces).

Month \_\_\_ Day \_\_\_ Year \_\_\_\_\_

24) Please indicate the type of probation supervision you are currently under. (select one choice only)

Regular probation	
PRCS (AB 109)	
Mandatory Supervision (AB 109)	

25) If you do not violate your probation when can you get off of probation? (please fill in the blank spaces)

Month \_\_\_ Day \_\_\_ Year \_\_\_\_\_

**Demographics**

26) What racial or ethnic group best describes you?

White	
Black	
Asian	
Native American	
Hispanic	
Other	

27) What is your marital status? (select one choice only)

Single, never married	
Married or domestic partnership	
Widowed	
Divorced	
Separated	

28) Please indicate your employment status (select one choice only)

Employed	
Out of work	
Unable to work	

29) What is the highest degree of education you have completed? (select one choice only)

No schooling completed	
Elementary to 8 <sup>th</sup> grade	
High School	
Associates degree	
Bachelors degree	
Graduate degree	

30) Please indicate which category best describes the total income of all members living in your house before taxes. This figure should include salaries, wages, pensions, dividends, interest, and all other income. (select one choice only)

Under 20,000\$	
20,000-39,999\$	
40,000-59,999\$	
60,000-79,999\$	
80,000-119,999\$	
120,000 or more	



Example Survey: Control

**Community Reintegration Survey (control)**

We know that individuals with criminal convictions face many obstacles upon release from jail or prison and that overcoming such obstacles plays a major role in facilitating positive community reintegration. We also recognize that having a criminal conviction can make some types of civic engagement difficult. Often times ex-offenders demonstrate a lack of civic engagement but this does not reflect poorly on them but rather is a result of the circumstances they have encountered. The aim of this research project is to help probation departments develop programs that facilitate civic reengagement.

**Directions: Please answer the following questions to the best of your ability by placing an “x” inside the box which most closely represents your answer.**

1) What is your gender?

Male	
Female	

2) What is the month, day and year of your birth? (please fill in the blank spaces)

Month\_\_\_\_\_ Day\_\_ Year\_\_\_\_\_

3) What form of transportation did you most frequently rely on over this past year? (select one choice only)

Public transportation	
Personal vehicle	
Bike	
Walk	

4) What best describes your current living situation? (select one choice only)

Own	
Rent	
Live with family member other than spouse	
Sober living facility	
Homeless	

- 5) In the past 12 months have you ever worked together informally with someone or some group, to solve a problem in the community where you live? If yes, how frequently did you engage in this activity? (select one choice only)

3 or more occasions	
1-2 occasions	
Never	

- 6) In the past 12 months, have you ever spent time participating in any community service or volunteer activity? By volunteer activity, I mean actually working in some way to help others for no pay. (select one choice only)

Yes, on a regular basis	
Yes, but only once in a while	
No, Never	

- 7) In the past 12 months how often have you attended events open to the public such as concerts, farmers markets and sporting events? (select one choice only)

Very frequently over 5 times	
Frequently 2-5 times	
Only once or twice	
Never	

- 8) In the past 12 months, how often have you frequented busy public spaces, such as shopping malls or movie theaters? (select one choice only)

Very frequently, over 5 times	
Frequently, 2-5 times	
Only once or twice	
Never	

- 9) In the past 12 months have you taken part in a march, protest or demonstration. If yes, how many times? (select one choice only)

More than a few times	
Only once or twice	
Never	

- 10) Do you belong to or donate money to any groups or associations either locally or nationally?  
Are you an active member of this group, a member but not active, or have you given money only? (select one choice only)

Active member	
Member but not active	
Money only	
No membership	

- 11) Lots of things come up that keep people from attending religious services even if they want to. Thinking about your life these days, do you ever attend religious services, apart from occasional weddings, baptisms or funerals? IF YES: Do you go to religious services (select one choice only)

Every week	
Almost every week	
Once or twice a month	
A few times a year	
Never	

Civic Involvement: Did you know that in California voting rights are automatically restored to ex-felony offenders once they complete their mandated period felony supervision? See the information below as provided by the California Secretary of State: ***Done with parole, mandatory supervision, or post release community supervision. Your right to vote is automatically restored when parole or supervision is done. This means that once your supervision is completed your right to vote is automatically restored in California (Secretary of State—State of California).***

- 12) Some people seem to follow what's going on in government and public affairs most of the time, whether there's an election going on or not. Others aren't that interested. Would you say you follow what's going on in government and public affairs (select one choice only)

Most of the time	
Some of the time	
Only now and then	
Hardly at all	

13) How often do you discuss politics with others? (select one choice only)

Weekly	
Once a Month	
A few times a year	
Hardly at all	

14) Overall, do you approve or disapprove of the way that Jerry Brown is handling his job as governor of California? (select one choice only)

Approve	
Disapprove	
Don't know	

15) Overall, do you approve or disapprove of the way that Barack Obama is handling his job as President of the United States? (select one choice only)

Approve	
Disapprove	
Don't know	

16) Have you in the past 12 months contacted or visited a public official - at any level of government - to ask for assistance or to express your opinion? If yes, how many times? (select one choice only)

More than a few times	
Only once or twice	
Never	

17) In the past 12 months, did you do any work for one of the parties or candidates? If yes, how many times? (select one choice only)

More than a few times	
Only once or twice	
Never	

18) How much of the time do you think you can trust the government in Washington to do what is right-- just about always, most of the time or only some of the time? (select one choice only)

Just about always	
Most of the time	
Only some of the time	
Never trust government	

19) Generally speaking, do you usually think of yourself as a Republican, a Democrat, an Independent, or what? (select one choice only)

Republican	
Democrat	
Independent (neither)	

20) Thinking about future elections in the years to come how likely is it that you will vote in either local or national elections? (select one choice only)

Very likely	
Likely	
Not likely, I am not interested	
I can't vote due to my conviction(s)	

**Legal History**

21) Have you ever been convicted of a felony offense? (select one choice only)

Yes	
No	

22) Approximately how many years have you spent incarcerated throughout your life? Please include years that you were incarcerated as a juvenile. (select one choice only)

Less than 1 year	
1-5 years	
6-10 years	
11-20 years	
21-30 years	
31-40 years	
41 or more years	

23) If you were incarcerated prior to being placed on probation, when were you released from county jail or state prison? If you have never been incarcerated please skip this question (please fill in the blank spaces).

Month \_\_\_ Day \_\_\_ Year \_\_\_\_\_

24) Please indicate the type of probation supervision you are currently under. (select one choice only)

Regular probation	
PRCS (AB 109)	
Mandatory Supervision (AB 109)	

25) If you do not violate your probation when can you get off of probation? (please fill in the blank spaces)

Month \_\_\_ Day \_\_\_ Year \_\_\_\_\_

**Demographics**

26) What racial or ethnic group best describes you?

White	
Black	
Asian	
Native American	
Hispanic	
Other	

27) What is your marital status? (select one choice only)

Single, never married	
Married or domestic partnership	
Widowed	
Divorced	
Separated	

28) Please indicate your employment status (select one choice only)

Employed	
Out of work	
Unable to work	

29) What is the highest degree of education you have completed? (select one choice only)

No schooling completed	
Elementary to 8 <sup>th</sup> grade	
High School	
Associates degree	
Bachelors degree	
Graduate degree	

30) Please indicate which category best describes the total income of all members living in your house before taxes. This figure should include salaries, wages, pensions, dividends, interest, and all other income. (select one choice only)

Under 20,000\$	
20,000-39,999\$	
40,000-59,999\$	
60,000-79,999\$	
80,000-119,999\$	
120,000 or more	

Appendix E: Robustness of Results Models Run with Control Variables

Effect of Voting Information on Likelihood of Voting in Future

Vote in future	$\beta$	Stand. Error	P-Value	95% Conf. Interval
Treatment	.2247	.0892	.013	.0481 .4013
Living Situation	-.1891	.1367	.169	-.4600 .0816
Years Incarcerated	-.0569	.0429	.187	-.1419 .0281
Marital Status	.0436	.1097	.692	-.1737 .2609
Education	.0393	.0532	.462	-.0661 .1447
Income	.0415	.0406	.309	-.0388 .1219
Race				
African American	-.0395	.1449	.785	-.3267 .2476
Asian	-.5983	.2585	.022	-1.110 -.0862
Native American	-.3911	.3463	.261	-.1077 .29488
Hispanic	.0245	.1021	.810	-.1778 .2269
Other	-.1936	.2499	.440	-.6887 .3014
Constant	.2398	.2067	.248	-.1695 .6493

Effect of Voting Information on False Belief of Disenfranchisement

Vote in future	$\beta$	Stand. Error	P-Value	95% Conf. Interval
Treatment	-.1792	.0874	.043	-.3523 -.0061
Years Incarcerated	.0397	.0408	.334	-.0412 .1206
Income	-.0114	.0356	.750	-.0821 .0592
Race				
African American	-.2156	.1420	.132	-.4969 .0656
Asian	.3923	.2507	.130	-1.141 .8782
Native American	.5471	.3373	.107	-.1208 1.215
Hispanic	-.0886	.1001	.378	-.2870 .1097
Other	-.1028	.2411	.671	-.5812 .3747
Constant	.4548	.1157	.000	.2256 .6839



Effect of Voting Information on Interest in Public Affairs

Vote in future	$\beta$	Stand. Error	P-Value	95% Conf. Interval
Treatment	.2163	.0879	.015	.0420 .3906
Age	.0039	.0035	.265	-.0032 .0108
Living Situation	-.2920	.1327	.030	-.5552 -.0289
Marital Status	.1666	.1128	.143	-.0571 .3903
Education	.0635	.0531	.234	-.0418 .1689
Income	.0592	.0406	.148	-.0213 .1398
Race				
African American	.0762	.1523	.617	-.2255 .3781
Asian	-.4189	.2918	.154	-.9973 .1594
Native American	-.5333	.3366	.116	-1.200 .1340
Hispanic	-.4312	.1019	.673	-.2451 .1588
Other	-.0654	.2820	.820	-.6236 .4945
Constant	-.0866	.2248	.700	-.5312 .3579

Effect of Voting Information on Frequency that Politics is Discussed with Friends

Vote in future	$\beta$	Stand. Error	P-Value	95% Conf. Interval
Treatment	-.2003	.0863	.022	-.3711 -.0295
Living Situation	-.0013	.1294	.992	-.2547 .2573
Years Incarcerated	-.0678	.04207	.109	-.1510 .0154
Marital Status	-.0592	.1018	.562	-.2608 .1423
Education	-.0396	.0537	.463	-.1458 .0667
Race				
African American	-.0631	.1489	.672	-.3577 .2314
Asian	-.2376	.2315	.305	-.6938 .2185
Native American	.6302	.3543	.078	-.0709 1.331
Hispanic	.1162	.0973	.098	-.0304 .3545
Other	.0899	.2569	.727	-.4184 .5982
Constant	.7878	.2048	.000	.3826 1.193