

RESTORE THE VOTE

NEW YORK STATE

"Today, New York's criminal disenfranchisement law is nearly identical to the provision enacted 140 years and therefore retains its originally intended effect: **the widespread disenfranchisement of African Americans and other ethnic minorities.**" *Jim Crow in New York*

TIMELINE OF DISENFRANCHISEMENT

- 1787** U.S. Constitution adopted, voting left to states
-  **1821** NYS abolishes property requirement to vote for white men, but requires it for black men, and allows felony disenfranchisement at the county level for "infamous crimes"
-  **1846** "Infamous crimes" expanded to include bribery, larceny, and betting on election outcomes
- 1870** 15th Amendment adopted; right to vote shall not be "abridged on account of race, color, or previous condition of servitude"
-  **1874** NYS abolishes the property requirement for black men
-  **1876** NYS makes felony disenfranchisement mandatory statewide
-  **1917** NYS extends the right to vote to women
-  **1921** NYS establishes a literacy test to vote
- 1965** **Passage of the Voting Rights Act ("VRA") - outlaws discriminatory practices and provides for federal oversight**
-  **1970** Parts of NYS including the 5 boroughs of NYC put under VRA pre-clearance for use of voting restrictions i.e. literacy tests
- 2013** Supreme Court guts the VRA and limits federal pre-clearance
-  **2018** NYS Governor Cuomo signs an executive order granting NYS residents on parole conditional pardons to allow them to vote

Sources:

Erika Wood and Liz Budnitzwith Garima Malhotra, *Jim Crow in New York* (Brennan Center, 2010); NY Const. Art. II, § 2 (1821, 1846); Erin Kelley, "Racism & Felony Disenfranchisement: An Intertwined History" (Brennan Center, 2017); Jennifer Vanasco, "Explainer: The Supreme Court, Voting Rights and New York" (June 25, 2013); NYCLU, "Voting Rights of New Yorkers With Felony Convictions" (April 2018); Brennan Center for Justice, "Criminal Disenfranchisement Laws Across the United States (December 7, 2018)

#RestoretheVote - pass a permanent restoration of voting rights for those on parole

#UniversalVoting - let's end felony disenfranchisement in this state

FELONY DISENFRANCHISEMENT IN THE US (2019)

<i>Most Restrictive</i>	Permanent*	Iowa, Kentucky
	Permanent* based on crime convicted** or other restriction	Alabama, Arizona, Delaware, Florida, Mississippi, Nevada, Tennessee, Wyoming
	Only those incarcerated, on parole or on probation	Alaska, Arkansas, Georgia, Idaho, Kansas, Minnesota, Missouri, Nebraska, New Jersey, New Mexico, North Carolina, Oklahoma, South Carolina, South Dakota, Texas, Virginia****, Washington, West Virginia, Wisconsin
<i>Least Restrictive</i>	Only those incarcerated or on parole	California, Colorado, Connecticut, Louisiana
	Only those incarcerated	District of Columbia, Hawaii, Illinois, Indiana, Massachusetts, Maryland***, Michigan, Montana, New Hampshire, New York****, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, Utah
	None	Maine, Vermont

* unless the government approves restoration on an individual basis

**such as murder, rape, etc.

***except in cases of election fraud

****by executive order only

