

Summary of Changes to State Felon Disfranchisement Law 1865-2003

1865 - 1870	The last half of the decade saw entirely more restrictive law changes, with most stemming from states in the South. Seven states passed new laws. Although most of these states previously disfranchised for a few specific offenses or had constitutional provisions allowing for criminal disfranchisement, these new laws marked the first time that the states disfranchised for all felony convictions. Other than South Carolina and Texas, whose new laws disfranchised only those in prison, all changes in this post-Civil War period disfranchised even ex-felons. By the end of the decade, 27 of the 37 states had some type of felon disfranchisement law, most of which disfranchised convicted felons either permanently or until pardoned.
1870s	Disfranchisement laws became more prevalent as six states added laws and one (Texas) further restricted felon voting rights. Colorado added a law with statehood while the other five states tailored extant suffrage laws.
1880s	Indiana relaxed its felon disfranchisement laws to affect only prisoners in 1881. The decade saw little activity until 1889 when North Dakota, South Dakota, and Washington became states and each wrote a law into its constitution.
1890s	Of the three new states in the 1890s, Wyoming and Idaho both adopted a felon disfranchisement law. South Carolina changed its law to require a pardon before restoring voting rights. At the end of the century, 38 of the 45 states disfranchised convicted felons for some amount of time, with 33 states disfranchising ex-felons.
1900s	The beginning of the new century saw few law changes. Oklahoma became the 46 th state in 1907 and disfranchised felons for the duration of their sentence. In 1909, New York disfranchised felons convicted of a federal offense.
1910s	As in the 1900s, only restrictive changes were made in the 1910s. When Arizona and New Mexico became states in 1912, each disfranchised ex-felons. At the same time, Washington disfranchised federally convicted felons.
1920s	With the exception of Louisiana in 1921 and Minnesota in 1928, no other disfranchisement changes occurred in the 1920s. Both states disfranchised felons convicted in federal courts.
1930s	The sole change in the 1930s came in 1934 when New York disfranchised those convicted of a crime in another state that would have been a felony in New York.
1940s	Most changes in the 1940s concerned the restoration of rights. Two states that previously required a pardon (New Jersey and Wisconsin) modified their laws to automatically restore rights upon completion of sentence. Connecticut, on the contrary, disfranchised felons for life and eliminated restoration by a House vote.
1950s	In 1957, Maryland restored rights to first-time offenders upon completion of their sentence. Alaska and Hawaii officially became states in 1959, with Alaska disfranchising for the duration of sentence and Hawaii until pardoned. With the addition of these two final states, 44 of the 50 states disfranchised at some level by 1959.
1960s	A multitude of changes occurred in the 1960s as states adopted less restrictive disfranchisement laws. Although Michigan and New Hampshire added restrictive laws for the first time, eight states expanded voting rights. Most shifted from a regime that disfranchised ex-felons to one that automatically restored voting rights upon completion of sentence. In 1964, Arkansas became the first Southern state to repeal an ex-felon disfranchisement law.
1970s	Nearly all changes in the 1970s led to expanded voting rights. Twelve states liberalized their laws, with a few modifying their laws several times in the span of a few years. Many states enfranchised felons still under correctional supervision. California and New York enfranchised ex-felons and felony probationers and five states altered their laws to also enfranchise parolees. By 1979, 18 states retained laws disfranchising ex-felons.
1980s	States continued to liberalize their disfranchisement laws in the first half of the 1980s and no changes took place after 1986. South Carolina, Georgia, and Texas all eliminated the need for a pardon by automatically restoring rights upon completion of sentence, although Texas implemented a two-year waiting period. Tennessee and Washington passed laws allowing for automatic post-sentence restoration of rights, though only for convictions after 1984 (Washington) and 1986 (Tennessee).
1990s	Contrasting with the previous three decades, most changes in the 1990s were more restrictive as six states passed more stringent disfranchisement laws. Four states disfranchised federal offenders and Colorado additionally disfranchised parolees. Utah passed a law for the first time, disfranchising state prison inmates, and Pennsylvania implemented a five-year waiting period before released inmates or parolees would be enfranchised. Texas, on the other hand, eliminated its two-year waiting period, thereby restoring voting rights upon completion of sentence.
2000s	Several changes occurred within the first few years of the twenty-first century, most of which have been in a less restrictive direction, with the exception of Massachusetts, whose electorate voted to disfranchise inmates in 2000. Delaware and Maryland both altered their laws to automatically restore rights after a post-sentence wait (five years in Delaware and three years in Maryland [with a few exceptions]). Nevada eliminated its five-year wait to apply for restoration of rights. A Pennsylvania court eliminated the state's five-year post-prison wait, thus enfranchising parolees. New Mexico no longer disfranchised ex-felons and Connecticut enfranchised probationers.

State Disenfranchisement Law Changes since 1975.¹

Expanded Voting Rights	Restricted Voting Rights
1975: Connecticut (automatic restoration of voting rights upon completion of sentence)	1983: Georgia (disfranchised felons convicted in any state)
Louisiana (probationers received right to vote)	1990: Florida (disfranchised felons convicted in any court)
Oregon (probationers and parolees received right to vote)	1993: Colorado (disfranchised parolees)
1976: New York (automatic restoration of voting rights upon completion of prison term or parole)	Nebraska (disfranchised for non-pardoned out-of-state convictions)
1978: Arizona (automatic restoration of voting rights for first time offenders)	1995: Pennsylvania (five-year post-prison voting ban)
Louisiana (parolees received right to vote)	1997: Colorado (disfranchised federal inmates and parolees)
1981: South Carolina (automatic restoration of voting rights upon completion of sentence)	1998: Utah (disfranchised inmates)
1983: Georgia (automatic restoration of voting rights upon completion of sentence)	1999: Oregon (disfranchised federal inmates)
Texas (automatic restoration of voting rights two years after completion of sentence)	2000: Massachusetts (disfranchised inmates)
1984: Washington (automatic restoration upon completion of sentence if convicted post-1984)	New Hampshire (disfranchised inmates)
1986: Tennessee (automatic restoration upon completion of sentence if convicted post-1986)	
1997: Texas (automatic restoration of voting rights upon completion of sentence)	
1998: New Hampshire (inmates received voting rights through state court decision)	
2000: Delaware (voting rights restored five years after completion of sentence)	
Pennsylvania (five-year post-prison waiting period eliminated)	
2001: Connecticut (probationers receive right to vote)	
Nevada (five-year waiting period to apply for pardon eliminated)	
New Mexico (automatic restoration of voting rights upon completion of sentence)	
2002: Maryland (recidivists automatically receive right to vote three years after completion of sentence)	

¹ Year listed may differ from year change became effective.

Changes in State Disenfranchisement Law by Class of Felons Disenfranchised

