

FELONY DISENFRANCHISEMENT in KENTUCKY

THE PROBLEM

- ❖ KENTUCKY'S CONSTITUTION STRIPS A PERSON'S FREEDOM TO VOTE FOR THE REST OF THEIR LIFE IF THEY ARE CONVICTED FOR **ANY FELONY**.

FACTS

- ❖ Kentucky remains **only one of three states** that disenfranchises **for life** anyone who has been convicted of a felony.
- ❖ Kentucky **ranks #4 nationally** in the percentage of citizens who are disenfranchised due to a felony conviction.
- ❖ An estimated **153,618 Kentuckians are still denied the right to vote**, despite the governor's 2019 executive order.
- ❖ According to the League of Women Voters of Kentucky's *2025 Statistical Update Report* an estimated 134,466 citizens (supervision and post-sentence) are living and working in their communities, outside the confines of incarceration.

KENTUCKY'S CONSTITUTION

- ❖ Section 145 of Kentucky's constitution states that a person convicted of **any** felony loses their freedom to vote **for the rest of their life**.
- ❖ Section 145 was added to Kentucky's constitution in 1891 to prevent Black and poor White men from having a voice in their state government.
- ❖ Kentucky politicians have the authority to determine what constitutes a felony offense and can increase that number at will.
- ❖ Kentucky's governor has total and complete control over whose voting rights can be restored.

PREVAILING LAW

- ❖ Governor Beshear signed Executive Order 2019-003 in December 2019 which restored the right to vote to an estimated **194,861 Kentuckians**.
- ❖ This "restoration" order only covered low-level, non-violent offenses, and excluded any out-of-state or federal convictions.
- ❖ Full payment of fines, fees, and restitution was **not** a condition for reclaiming voting rights, a significant benefit to many low-income Kentuckians.
- ❖ Executive orders exist solely within the discretionary power of the sitting governor. They are fragile, unpredictable, and can be revoked at any time by a succeeding governor.

SOCIAL BENEFITS

- ❖ Restoration of voting and other civil rights is an integral part of a person's journey to social reintegration and reconciliation. It promotes "pro-social" behavior and increased community engagement.
- ❖ Studies are indicating that when a person with a felony conviction exhibits a higher level of community and inter-personal engagement, they can be **up to three times LESS likely** to commit another crime.

THE ONLY *PERMANENT* SOLUTION TO END FELONY DISENFRANCHISEMENT IS A CONSTITUTIONAL AMENDMENT.