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Prosecutor: Ease rigid rules denying vote to reformed felons

In our recent election, over 100,000 Kentuckians were not able to vote. These are people who may very well be interested in voting, but are barred because they have a previous felony conviction.

The Kentucky League of Women Voters' recent report on felon disenfranchisement has brought this to everyone's attention. It's time for a change.

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We should allow those previously convicted of a felony to vote upon completion of their sentences. They've done the crime, but they've also done their time.

Laws that disenfranchise people with felony convictions exist in 48 states, but Kentucky maintains the distinction of being one of only three states that permanently ban all felons for life unless the Governor specifically restores their civil rights.

You don't care? Consider this. An 18-year-old with a first-time felony drug possession who is sentenced to a drug treatment program which she successfully completes can never vote again, no matter how law-abiding a life she subsequently leads. Only Florida and Virginia maintain policies as restrictive.

Because of the broad sweep of Kentucky laws, the impact on the electorate is among the most severe in the country.

One of every 17 adults in the state is ineligible to vote, double the national average. Among African Americans, the disenfranchisement rate is the nation's highest, with nearly one in four (23.7 percent) adults barred from the voting booth.

Felons in Kentucky who have completed their sentence can apply to the governor to restore their voting rights. In practice, the current process is restoring the rights of far fewer persons than in the recent past.

Part of this is because in 2004, Gov. Ernie Fletcher made this process far more burdensome and time-consuming.

He started requiring that all applicants submit a statement detailing why their rights should be restored along with three letters of recommendation. The stated reason was that the Governor wanted it to be "harder, so they'll appreciate it more." I joked that it sounded like an essay contest for the right to vote.

Since then, one enterprising individual, who was screened by my office and knew the audience to whom he was playing, actually wrote that he wanted his rights back so he could vote Republican!

Not surprisingly, both the number of applicants and the approval rate have plummeted. Only 464 people had their rights restored in fiscal year 2004, a decline of more than 60 percent from two years previously.

Why should we care about the rights of people who have committed crimes?

First, these people have completed all the obligations of the sentence imposed on them. They are living in the community, hopefully working, paying taxes and being expected to take on all the responsibilities of citizenship.

Second, we annually spend millions to rehabilitate offenders and bring them back into society only to let an outdated system push back with one hand while we pull with the other.

Third, research shows that former offenders who vote are less likely to be re-arrested than non-voters. A key element of successful transition home after prison is a positive relationship with community institutions. Voting shows a commitment to the future of the community.

As a veteran of 23 years of prosecution, two primaries and five general elections, I believe I know what I'm talking about. I also know it's easy to win

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votes talking tough about crime.

It's time we look at the reality of the situation and do something positive for our fellow Kentuckians and ourselves. Fletcher should immediately revert to the previous method of restoring rights.

Previous governors were able to appropriately review applications. The Kentucky General Assembly should seriously consider changing the laws that now keep so many of our citizens disenfranchised.

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