Pennsylvania NAACP Wins Vote for Ex-Offenders

by Marianna Wertz

In one of his most important statements just before leaving the Presidency, Bill Clinton wrote, in a commentary in the Jan. 14 New York Times, that “it is long past time to give back the right to vote to ex-offenders who have paid their debts to society.” Clinton’s message, titled “Erasing America’s Color Lines,” dealt generally with the measures he thinks are necessary to eliminate the stubborn vestiges of racism in America, in order to “build one America,” as he put it. Specifically on the administration of criminal justice, Clinton said, “There is no area today in which perceptions of fairness differ so greatly, depending on one’s race.”

A recent victory in the Commonwealth Court of Pennsylvania by the National Association for the Advancement of Colored People (NAACP), is the first step nationally in accomplishing what Clinton calls for, and can serve as an important precedent for other states struggling with this issue. In the suit, Lorenzo L. Mixon, et al. v. Commonwealth of Pennsylvania, et al., the petitioners, who are currently or formerly incarcerated in Pennsylvania, were joined in a friend of the court brief by the Philadelphia branch of the NAACP, and won the right to vote for all former felons in the state, immediately upon release. The decision, filed on Sept. 18 by Presiding Judge Joseph T. Doyle, overturned the state’s Voter Registration Act, which denies the right to vote to felons for five years after their release.

No Small Issue

The issue of the right to vote for felons who have already served their time in a correctional institution, is no small issue. If the nearly 500,000 former felons in Florida — 4.6% of Florida’s voting-age population, with 31% of the black voting-aged population of the state among them — had been able to vote in the 2000 Presidential election, the outcome would never have been in question, as 90% of black Americans cast their votes against George Bush. In Florida, an ex-felon must wait ten years after completion of sentence before being eligible to seek the gubernatorial pardon needed to restore their right to vote.

Though this issue wasn’t raised specifically in the civil rights suit filed by the Florida NAACP on Jan. 10, what the NAACP did charge was that thousands of minority voters were erroneously removed from voter rolls, by a company linked to George W. Bush, which was hired to purge the names of felons from the voter rolls. Thousands of law-abid-