

RIGHTS RESTORATION IN GEORGIA

I. DISENFRANCHISEMENT AND RESTORATION PROCESSES

Who does Georgia disenfranchise?

Georgia disenfranchises all people with convictions while they are incarcerated and while they are on probation and parole.⁴⁷

What is Georgia's restoration process for people with felony convictions?

Rights are automatically restored after a person completes their full sentence, including probation and parole.

It is unclear whether a person must first satisfy all fines, fees, and restitution.⁴⁸ There are no laws or rules that clearly require payment of fines and fees, but some news articles mention a requirement to pay fines and fees first.

II. IMPACT

How many people are directly impacted by disenfranchisement and mass incarceration?

As of 2016, Georgia's felony disenfranchisement laws disenfranchised 3.23% of its population, and 6.28% of the African American population.⁴⁹

Georgia has the largest correctional supervision population in the country at over 404,000 people.⁵⁰ Georgia is the top jailer and probationer in the country.⁵¹

According to the U.S. Bureau of Justice Statistics, Georgia had 410,964 people on probation as of 2016, the most recent year for which data is available. That's far more than any other state. California had 288,911 probationers; its population is nearly four times that of Georgia.⁵²


Who are the impacted people?

Georgia had correctional control of its citizens at the following rates:

	Number Total	White	Black	Latino/a	Other
Incarcerated ⁵³	55,556	36.19%	59.46%	3.83%	0.52%

III. STRATEGIES TO EXPAND RIGHTS RESTORATION

What are key legal and policy rights restoration strategies tried as of February 2020?

	Legislation	Litigation	Executive Order	Ballot Initiative	Administrative Advocacy
Measures Attempted in the State					

Legislation

On April 2, 2019, the Georgia legislature approved a study to determine whether it should propose a bill allowing those with nonviolent felony convictions to vote.⁵⁴ On December 18, 2019, the study committee voted 3-2 against proposing such legislation.⁵⁵

What is the process for bringing forward a ballot initiative in Georgia?

Legislature: The legislature can put a proposed amendment on the ballot upon a two-thirds majority vote in both the legislative chambers.⁵⁶

IV. KEY ISSUES/WHERE THE FIGHT IS

The Georgia constitution contains language similar to the Alabama state constitution wherein it bars from voting those convicted of crimes of “moral turpitude.”⁵⁷ Georgia law does not officially define “moral turpitude.” Election officials simply interpret it as encompassing all felonies. Alabama was in a similar position before its legislature passed a bill defining a list of crimes of “moral turpitude.”