

RIGHTS RESTORATION IN NEW JERSEY

I. DISENFRANCHISEMENT AND RESTORATION PROCESSES

Who does New Jersey disenfranchise?

New Jersey only disenfranchises people in prison for a felony. Anyone on parole, probation, or other supervision, regardless of the offense or outstanding legal financial obligations, can vote. This is based on a new law effective in March 2020.⁹⁸

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

Automatic. A voter leaving prison is immediately restored the right to vote.

What is the voter registration and verification process for voters with convictions?

To register after felony incarceration, a voter initiates the regular registration process by applying.

What state/public resources are available to assist people in navigating the registration process?

The Secretary of State produced a handbook for formerly incarcerated voters but has not yet updated it to include voting information for people on probation.⁹⁹

II. IMPACT

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

Over 94,000 people were disenfranchised due to incarceration, parole, or probation in 2016 – more people than reside in Trenton, New Jersey's state capital.¹⁰⁰

New Jersey incarcerated 19,212 people in state prisons in 2019.¹⁰¹ The rate of incarceration is 217 per every 100,000 residents of the state.¹⁰²

There were 14,480 people on parole and 138,351 on probation in New Jersey as of December 31, 2016.¹⁰³


Who are the impacted people?

As of 2016, New Jersey disenfranchised about 1% of its population but 5% of its African American population.¹⁰⁴ Nearly half of the population disenfranchised for a criminal conviction is Black.¹⁰⁵

New Jersey’s population is 15% Black but the prison population is 62% Black (11,847 out of 19,212 incarcerated people).¹⁰⁶

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
Interventions Attempted in the State					

Legislation

2019 — Assembly Bill 5823¹⁰⁷— (Passed): This legislation has restored the right to vote automatically to people released from incarceration. It takes effect in March.

2018 — Senate Bill 2100/Assembly Bill 3456¹⁰⁸— (Died in Committee): The bill would have allowed people with convictions to vote while incarcerated as well as on parole or probation.

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

Legislative: The state legislature must approve a proposed constitutional amendment by a vote of 60% support. In following years, the legislature can approve that same proposed amendment with only a simple majority (over 50%).¹⁰⁹

IV. KEY ISSUES/WHERE THE FIGHT IS

Given New Jersey’s new state law allowing anyone who is not incarcerated for a felony to vote, implementation is a big next step. This includes know your rights trainings and civic engagement for newly eligible voters, as well as confirming processes between state agencies to make registration smooth and clear.