

RIGHTS RESTORATION IN WISCONSIN

I. DISENFRANCHISEMENT AND RESTORATION PROCESSES

Who does Wisconsin disenfranchise?

Wisconsin disenfranchises people who are in prison or under correctional supervision, including parole and probation. The state also disenfranchises people who have been convicted of a felony but haven't yet been sentenced.¹³⁵

People convicted of misdemeanors keep their right to vote unless the conviction is for treason or bribery.¹³⁶

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

Automatic – immediately after a person serves their sentence in prison or any kind of correctional supervision, the voter is eligible to register to vote. This applies regardless of the voter's convicted offense.

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

To register after felony incarceration or any kind of supervision, a voter initiates the regular registration process by applying. People under a work-release program or electronic monitoring may need special approval to obtain a photo ID to vote.

How does Wisconsin's voter ID law affect incarcerated people?

Wisconsin requires voters to provide a valid ID when voting by absentee ballot or in person. People who had a photo ID when they were incarcerated need to ask the prison or jail staff to make a copy of it. People who did not have a photo ID when incarcerated and cannot leave the jail or prison to attain one are not able to vote.

II. IMPACT

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

Wisconsin incarcerated 22,857 people as of December 31, 2018.¹³⁷ It is the 23rd most incarcerated state in the country, with 391 people incarcerated in state prisons per every 100,000 residents of the state.¹³⁸

66,248 people were on parole, extended supervision, or probation as of June 30, 2019.¹³⁹

Wisconsin's rate of correctional control, including prison, parole, and probation, is 1,803 per 100,000 residents.¹⁴⁰

Who are the impacted people?

As of 2016, Wisconsin disenfranchised 1.5% of its population but nearly 9% of its African American population.¹⁴¹

Black people make up about 6% of the state, but 56% of Wisconsin's prison population is African American.¹⁴²

Of the population on parole, extended supervision, or probation in 2019,¹⁴³


- 52,458, or 79%, of these were men.
- 68% of men were white, 27% were Black, 4% were Native American, and 7% were Hispanic/Latino.
- 74% of women were white, 18% were Black, 7% were Native American, and 2% were Hispanic/Latino.

Of the population incarcerated by the Wisconsin Department of Corrections on December 31, 2018,¹⁴⁴

- 22,282, or 93%, were men.
- 51% of men were white, 44% were Black, and 8% were Hispanic.
- 68% of women were white, 23% were Black, and 3% were Hispanic.

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—Senate Bill 348/Assembly Bill 477¹⁴⁵—Pending: This bill would have restored the right to vote to people on probation, parole, or other supervision. The Intergovernmental Relations Committee of the Milwaukee County Board of Supervisors passed a resolution supporting this statewide proposal.¹⁴⁶

2009—Senate Bill 240/Assembly Bill 353¹⁴⁷— Did not pass: An earlier version of legislation to allow people to vote after incarceration. Both chambers held committee hearings and the Assembly version passed out of committee.

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

Legislative: Two consecutive legislatures must approve a constitutional amendment before it is put to a vote on the ballot.¹⁴⁸

IV. KEY ISSUES/WHERE THE FIGHT IS

The legislative fight continues to restore the right to vote after incarceration. SB 348 is still active this legislative session. There is also a new Governor and new head of the Department of Corrections in office.

