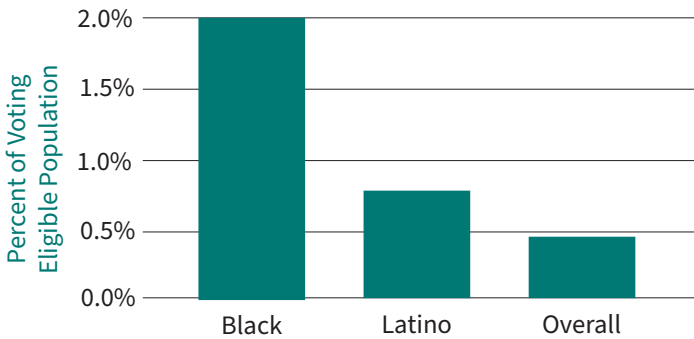


Colorado Should Restore Voting Rights to Over 18,700 Citizens

More than 18,700 Coloradans are banned from voting while serving a prison or jail term for a felony conviction.¹ This ban on voting strips Colorado’s citizens of their political voice and does not reflect the principles within the state’s constitution that “all political power is vested in and derived from the people.”² Voter exclusion falls heavily on people of color in Colorado who are more likely to be prohibited from voting because of the stark racial disparities in the state’s criminal legal system.

Voter Exclusion Rates in Colorado by Race and Ethnicity, 2024



Uggen, C., Larson, R., Shannon, S., Stewart, R., & Hauf, M. (2024). *Locked out 2024: Four million denied voting rights due to a felony conviction*. The Sentencing Project.

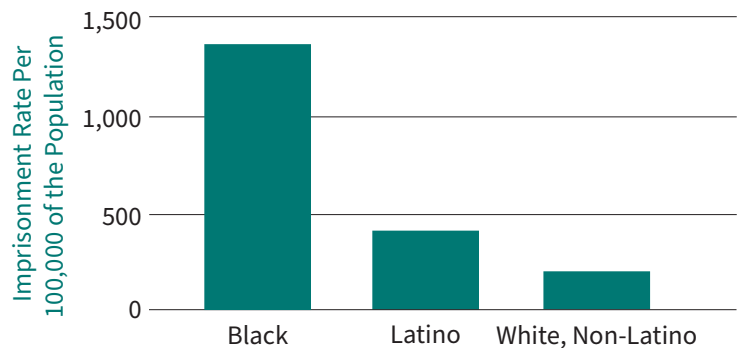
Black citizens are over five times as likely as non-Black citizens to be denied voting rights due to a felony conviction. Latino citizens are over twice as likely as non-Latino citizens to be disenfranchised for the same reason.³ The state’s Latino disenfranchisement rate also ranks highest among the 23 states that ban citizens from voting while in prison but reinstate voting rights upon release.⁴

The law restricting Colorado’s citizens from voting while incarcerated for a felony conviction undermines Colorado’s democracy and extends the racial injustice embedded in the criminal legal system to its electoral system. To ameliorate this injustice and protect its democratic values, Colorado should follow the lead of Maine, Vermont, Puerto Rico, and Washington, DC, and extend voting rights to all citizens, including persons completing their felony-level sentence in prison or jail.

Expanding Voting Rights in Colorado Is a Racial Justice Issue

Voter exclusion is particularly acute for Black and Latino residents of Colorado due to their disproportionate incarceration for felony convictions. While 4% of the state’s population is Black, 17% of the prison population is Black. Similarly, 22% of the state’s population is Latino, but Latinos make up 32% of the prison population. That means, in Colorado, Black residents are more than seven times as likely as white residents to be in prison and Latino residents are more than twice as likely as white residents to be in prison.⁵

Imprisonment Rate in Colorado by Race and Ethnicity, 2024



Colorado inmate population [Online Image]. (2024). Colorado Department of Corrections Inmate Population Profile.; U.S. Census Bureau. *Hispanic or Latino Origin by Race*. American Community Survey, ACS 5-Year Estimates Detailed Tables, Table B03002, 2023.

This racial disparity is far more pronounced among Black Coloradans who are serving the longest prison sentences. Twenty-four percent of individuals with life sentences are Black Coloradans, making them more than nine times as likely to be serving these extremely lengthy sentences than white Coloradans.⁶ Life sentences mean individuals may spend a significant portion of their lives without the right to vote, and this reality disproportionately impacts Black communities.

Such disparities in incarceration go beyond differences in criminal offending and result from differential treatment throughout Colorado's criminal legal system. The following examples illustrate the disparate effects of these practices on people of color in Colorado:

Policing:

- Researchers who analyzed data from the Aurora Police Department found a pattern of racially disparate interactions with people of color, especially Black residents, who were 2.5 times as likely as white residents to be arrested. In all Aurora districts, police disproportionately interacted with Black residents and were more likely to arrest Black residents they interacted with compared to white residents. Where the law allowed police discretion in whether or not to make an arrest, Black residents were the most likely to be arrested.⁷

Prosecutorial Discretion:

- Black and Latino defendants charged with a felony drug offense in Denver County were half as likely to have their cases moved to drug court as white defendants even in cases of comparable severity, according to a study by the Colorado Evaluation and Action Lab at the University of Denver. Drug courts typically offer a misdemeanor charge and a mandatory treatment program as an alternative to a felony charge.⁸

- A study of prosecutorial decisions by the University of Denver found Black individuals were 70% less likely to receive a deferred judgment and Latino individuals were 50% less likely to receive a deferred judgment compared to white individuals after comparing cases of similar severity. A deferred judgment is a form of plea agreement that allows people to have their sentence reduced or their case dismissed if they complete a period of supervision without committing additional offenses.⁹

Racial disparity in incarceration is diluting the political voice of people of color in Colorado. Colorado should safeguard democratic rights and not allow a racially disparate criminal legal system to restrict voting rights.

Supporting Voting Rights Improves Public Safety

Research shows that an opportunity to participate in democracy has the potential to reduce one's perceived status as an "outsider." The act of voting can have a meaningful and sustaining positive influence on justice-impacted citizens by making them feel they belong to a community.¹⁰ Having a say and a stake in the life and well-being of your community is at the heart of our democracy.

Re-enfranchisement can facilitate successful re-entry and reduce recidivism. The University of Minnesota's Christopher Uggen and New York University's Jeff Manza find that among people with a prior arrest, there are "consistent differences between voters and non-voters in rates of subsequent arrest, incarceration, and self-reported criminal behavior."¹¹ Research also suggests having the right to vote immediately after incarceration matters for public safety. Individuals in states that continued to restrict the right to vote after incarceration were found to have a higher likelihood of experiencing a subsequent arrest compared to individuals in states who had their voting rights restored post-incarceration.¹² Given re-enfranchisement misinformation and obstacles facing justice-impacted citizens upon re-entry

into our communities, one path to bolster public safety and promote prosocial identities is to preserve voting rights during incarceration.

Allowing people to vote, including persons completing felony sentences in prison or jail, prepares them for more successful reentry and bolsters a civic identity. By ending disenfranchisement as a consequence of incarceration, Colorado can improve public safety while also promoting reintegrative prosocial behaviors.

Colorado Can Strengthen Its Democracy by Restoring the Right to Vote

Since 1997, 26 states and the District of Columbia have expanded voting rights to people with felony convictions.¹³ As a result, over 2 million Americans have regained the right to vote.¹⁴ As part of this movement, the Colorado General Assembly expanded voting rights to Coloradans on parole supervision— but legislators must take action to ensure that everyone can fully participate in democracy.

In 2019, Governor Jared Polis signed H.R. 19-1266 to restore voting rights to individuals on parole, re-enfranchising an estimated 11,500 people.¹⁵ Still, Colorado continues to disenfranchise an entire group of their citizens: those serving a sentence in prison or jail due to a felony conviction. Colorado should carry forward the momentum of H.R. 19-1266 and ensure that all Coloradans have access to the ballot regardless of criminal-legal status.

Excluding an entire population of people from exercising their right to vote erodes democracy and is not in accordance with Colorado's bill of rights that states "no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage."¹⁶ When the state of Colorado takes away its citizens' ability to vote, it also removes an important avenue for them, especially for people of color, to advocate for their own needs and the needs of their communities.

Colorado should strengthen its democracy and advance racial justice by re-enfranchising its entire voting-eligible population.

Endnotes

¹ Uggen, C., Larson, R., Shannon, S., Stewart, R., & Hauf, M. (2024). *Locked out 2024: Four million denied voting rights due to a felony conviction*. The Sentencing Project; C.O. Const. art. VII, § 10.

² C.O. Const. art. II, § 1.

³ Voting eligible adults are defined as individuals who are at least 18 years old and a U.S. citizen.

⁴ Uggen, C., Larson, R., Shannon, S., Stewart, R., & Hauf, M. (2024). *Locked out 2024: Four million denied voting rights due to a felony conviction*. The Sentencing Project.

⁵ *Colorado inmate population* [Online Image]. (2024). Colorado Department of Corrections Inmate Population Profile; U.S. Census Bureau. *Hispanic or Latino Origin by Race. American Community Survey, ACS 5-Year Estimates Detailed Tables, Table B03002, 2023*.

⁶ Nellis, A., & Barry, C. (2025). *A matter of life: The scope and impact of life and long-term imprisonment in the United States*. The Sentencing Project.

⁷ Mordecai, D. K. A., Kappagoda, S., Kwak, M., Gokhale, M., Mathews, N., & Horvath, P. (2021). *Investigation of the Aurora Police Department and Aurora Fire Rescue*. Colorado Attorney General.

⁸ Bosick, S. J. (2021). *Racial disparities in prosecutorial outcomes: An analysis of felony cases accepted for prosecution by the Denver District Attorney's Office in the City and County of Denver*. Colorado Evaluation and Action Lab at the University of Denver.

⁹ Bosick, S. J. (2021). *Racial disparities in prosecutorial outcomes: An analysis of felony cases accepted for prosecution by the Denver District Attorney's Office in the City and County of Denver*. Colorado Evaluation and Action Lab at the University of Denver.

¹⁰ Budd, K. M., & Monazzam, N. (2023). *Increasing public safety by restoring voting rights*. The Sentencing Project; Aviram, H., Bragg, A., & Lewis, C. (2017). Felon disenfranchisement. *Annual Review of Law and Social Science*, 13, 295-311. <https://doi.org/10.1146/annurev-lawsocsci-110316-113558>

¹¹ Uggen, C., & Manza, J. (2004). Voting and subsequent crime and arrest: Evidence from a community sample. *Columbia Human Rights Law Review*, 36(1), 193-216.

¹² Budd, K. M., & Monazzam, N. (2023). *Increasing public safety by restoring voting rights*. The Sentencing Project; Aviram, H., Bragg, A., & Lewis, C. (2017). Felon disenfranchisement. *Annual Review of Law and Social Science*, 13, 295-311. <https://doi.org/10.1146/annurev-lawsocsci-110316-113558>

¹³ Porter, N. & McLeod, M. (2023). *Expanding the vote: State felony disenfranchisement reform, 1997-2023*. The Sentencing Project.

¹⁴ Porter, N. & McLeod, M. (2023). *Expanding the vote: State felony disenfranchisement reform, 1997-2023*. The Sentencing Project.

¹⁵ H.R.19-1266. (Colo. 2019).; Burness, A. (2019, July 5). As of today, 11,467 Colorado parolees can register to vote. Will they? *The Colorado Independent*.

¹⁶ C.O. Const. art. II, § 5.



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The Sentencing Project advocates for effective and humane responses to crime that minimize imprisonment and criminalization of youth and adults by promoting racial, ethnic, economic, and gender justice.