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A Rage of Disenfranchisement  
By Ryan Paul Haygood  
Guest Commentator

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In his lifetime, Mr. Richard Gooden, a retired steel worker of 42 years, has been denied the right to vote twice by the State of Alabama. He was first deprived of his voting rights in the early 1960s during a dark period in Alabama's history when Black voter registration was made virtually impossible by the State's relentless discriminatory efforts to block the African-American vote.

Mr. Gooden vividly remembers being asked to interpret an entire section of Alabama's constitution, a literacy test that was made impossible to pass even for a Black man who had earned a Ph.D.

It was not until the passage of the Voting Rights Act of 1965 that Mr. Gooden, like thousands of African Americans, was finally permitted to vote in his home state.

Mr. Gooden was registered to vote and voted for nearly four decades, until he was convicted of driving under the influence of alcohol, and stripped of his voting rights as a collateral consequence of a felony conviction. In reality, however, Mr. Gooden was being illegally deprived of his voting rights for a second time.

## The Black Commentator – A Rage of Disenfranchisement

Alabama's Constitution, which was passed into law by the people, permits those convicted of felony offenses not involving "moral turpitude" to register to vote. Alabama's courts, the State Attorney General, and Board of Pardons and Paroles also have made it clear that people convicted of felony offenses like Mr. Gooden's, such as driving under the influence of alcohol or drug possession, do not lose their voting rights.



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Unfortunately, the Secretary of State, the chief election official, flouting Alabama's constitution and laws, has advised county registrars throughout Alabama to refuse to register these potential voters unless they have a Certificate of Eligibility from the Board of Pardons and Paroles, a document that they do not need and indeed cannot receive.

The Secretary of State's unlawful behavior is a symptom of "felon disenfranchisement creep," a practice that occurs when election officials – whether intentionally or through ignorance of the law – improperly expand existing felon disenfranchisement laws to deny the vote to eligible citizens.

For Mr. Gooden and a substantial number of similarly situated citizens across the State of Alabama, felon disenfranchisement creep has erected new barriers to the exercise of the fundamental right to vote.

To combat this problem in Alabama, the NAACP Legal Defense Fund and Alabama attorney Edward Still filed lawsuits to compel the Secretary of State to follow the state's laws. We simply cannot allow eligible voters to be unlawfully denied access to the right to vote.

The legacy of the struggle to obtain the right to vote in Alabama for Mr. Gooden and many others demands that the State not repeat its history of vote denial. As was the case when Alabama law enforcement officers brutalized peaceful marchers on Bloody Sunday forty one years ago, the Secretary of State's purposeful disregard of the law diminishes all of us.

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