Civics Education for a Civil Society

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In 2013, Christina Rivers, an associate professor of political science at DePaul, was asked to teach a course on law and politics at the Stateville Correctional Center, a maximum-security men’s prison in Crest Hill, Ill.

Her answer was an immediate “yes.”

“This is a true collaboration in helping some of the most rejected people in this country and in this state help themselves by doing something positive that fully falls within the definition of rehabilitation. It is just absolutely phenomenal in general, and as a reflection of the Vincentian mission,” says Rivers.

She’s talking about the Inside-Out Prison Exchange Program, an international educational program based at Temple University in Philadelphia that brings together traditional students on the “outside” to study college-level courses with incarcerated students on the “inside.” Jacqueline Lazú, an associate professor and associate dean in the College of Liberal Arts and Social Sciences, helped bring the Inside-Out program to DePaul in 2002, where it is managed by the Irwin W. Steans Center.

But what has emerged since Rivers became a part of the program has far surpassed rehabilitation.

HB 2541, the Re-Entering Citizens Civics Education Act, which was officially signed into law in August 2019 by Gov. J.B. Pritzker, is the story of Rivers and a dedicated group of civic activists. It’s also the story of race, mass incarceration and democracy’s disturbing shadow: the disenfranchisement of millions of Americans in violation of their right to participate in the democratic process.

**The Right to Vote**

For most of her career, Rivers has examined race and representation in the United States and African American political thought. The chance to teach inside a correctional facility was the perfect impetus for her to delve deeper into a more recent interest: felony disenfranchisement.

“I thought this is a great way to [examine this issue] because half the class would have been directly impacted by these laws,” she recalls.

U.S. voting laws vary by state. On the least restrictive end of the spectrum are Vermont and Maine, which permit voting inside correctional facilities and upon release. The most restrictive states are Iowa and Kentucky, which forbid voting for a lifetime even after release—unless the person has been pardoned by the governor. The remaining states offer a patchwork of requirements and restrictions. Illinois, for example, is on the less restrictive side, and restores voter eligibility to incarcerated citizens re-enter society without knowing their civil rights. Now, thanks in part to a DePaul professor, that’s changing in Illinois. *By Abigail Pickus*
Native Americans were incarcerated at a rate 38% higher than the national average in 2015, compared with 1.8% of the nonblack population, and other people of color are also affected by felony disenfranchisement laws. According to the Bureau of Justice Statistics, Native Americans were incarcerated at a rate 38% higher than the national average in 2015, and Hispanic prisoners made up 25% of the total sentenced prison population in 2016. Which is exactly where HB 2541 comes in.

**The Makings of a Bill**

Alexandria Boutros (LAS ’18) was a student in Rivers’ law and politics class taught as part of the Inside-Out program.

“It’s definitely a life-changing experience,” says Boutros, who is now a community organizer for Chicago Votes. “It’s the ultimate service-learning experience, since you’re learning about Supreme Court cases and opinions that directly impact people in the criminal justice system while sitting with the same people who are impacted by these laws or cases.”

As part of the program, students work together on a final group project, structured as a legislative proposal. It was through several projects focusing on voter education and re-enfranchisement that the seeds of what soon became a bill emerged.

Intrigued by several discussions of civic engagement, the Stateville students also administered their own survey to measure that of their peers. What they found dismantled many stereotypes.

It turns out that of those surveyed, 95% said that they would vote on the inside if they had the opportunity to do so, and the same percentage said that they would if they got out. About 65% said they had voted prior to being incarcerated, according to Rivers. (The poignant note here is that most people in Stateville are serving long sentences; thus, very few will actually be released.) At the same time, the survey revealed a disturbing disconnect: despite such high civic interest, only about 25% knew that they would regain their eligibility to vote upon release, and only about 30% knew what was involved in that process.

“So you had very high levels of interest with very low levels of knowledge,” says Rivers.

Fortunately for the Inside-Out participants, long after the classes end and the final projects wrap up, student inmates and select community members continue to meet in a monthly think tank at Stateville to delve deeper into the course topics. Since prisoners are required by the Illinois Department of Corrections to take a range of peer-led workshops on transitioning into life outside, Rivers said the think tank quickly started imagining what a nonpartisan, peer-led workshop on civics education would look like. “We asked this open-ended question: If the Department of Corrections were to offer a workshop on voter education, what would you want to know?”

It turned out a lot. Questions ranged from the procedural, like how to get an identification card and how to use a voting machine, to more substantive issues, like what a comptroller does.

A long-time advocate for policies to improve voter access in jail and among returning community members was instrumental in helping to turn these raw ideas into a legislative bill. **From Bill to Law**

Rivers invited Ami Gandhi, senior counsel for Chicago Lawyers’ Committee for Civil Rights, to join the think tank in 2017. She also knew Boutros, who was an intern for Chicago Lawyers’ Committee while at DePaul. Gandhi helped pull in more help from Chicago...
Votes staff and their lobbyist who also helped advocate for the bill. Soon, the Inside-Out team landed another major coup—they found a legislator to sponsor the bill.

Illinois State Rep. Sonya Harper, whose 6th House District has a high concentration of re-entering citizens, is, by all accounts, a powerhouse. “That woman is a juggernaut. She was very energetic about sponsoring this bill, and she whipped it into shape,” says Rivers.

At a hearing in Springfield, Harper managed to increase the number of sponsors from 10 to 36 before the end of a day. She then quickly set to work selecting a committee whose chair was open to this issue.

Rivers testified on behalf of the bill at the hearing. While the bill did meet some opposition, primarily about the cost (virtually nonexistent because the peer-led workshop incurs very minimal personnel costs) and about guaranteeing its bipartisanship, in the end, the bill passed the Illinois House and Senate by a nearly unanimous, bipartisan majority.

Rivers, who admits to being shocked by the whole turn of events, feels that this success is riding a wave of civic engagement across the country. “There are other [efforts] around the country that are calling for similar measures or calling for revocation of permanent or significant disenfranchisement,” she says.

She cites as examples Florida Amendment 4, the Voting Rights Restoration for Felons Initiative that passed in 2018 with 64% of the popular vote (later limited by a Senate bill that would make it very difficult for formerly incarcerated persons to register), as well as a law that recently passed the Illinois General Assembly giving those eligible in county jail the right to vote.

Since it has only just been signed into law, Rivers anticipates that the Re-Entering Citizens Civics Education Act could have a gradual rollout.

“Because Illinois has almost 40 prisons, we imagine that the state of Illinois might start with some of the larger ones that already have very vibrant programming and education,” she says.

**NOT RETRIBUTION, BUT FAIRNESS**

For Gandhi, such a law is as promising as it is unprecedented.

“This is the first model of its kind anywhere in the United States that would require a state to provide in-person, peer-led civics and voting rights education for incarcerated community members,” she says. “It’s also unique. In the voting rights advocacy space and among civil rights attorneys, it is rare to get the opportunity to hear directly from community members about the barriers that they experience and their well-informed ideas about how to overcome those barriers.”

She also hopes this is only the beginning.

“There are many aspects of our voting systems and the broader systems of our democracy that really are in dire need of improvement. And the more that we have mechanisms in place like the think tank to get input and strategy suggestions from community members most directly affected, the more successes we will have in dismantling injustice in our society,” she says.

But the most significant aspect of the re-entering law is its impact on communities of color.

“This law has the potential to fundamentally change the political landscape with regard to voting rights for communities of color,” says Gandhi. “For far too long, black and brown communities have been prevented from voting because of interactions with the criminal justice system and because of outdated ideas about who should and shouldn’t have access to the polls.”

For Rivers, this well-earned victory is a step toward equality.

“What I hear from inside students and people we work with at the jail is the significance of having this recognition that their political voice actually counts. So many [incarcerated people] have been taught all their lives that nothing they say is worth listening to and that they don’t count. And for them to realize that not only do they matter, but so do their votes gives them the sense of legitimacy and the power to feel that they can use this right to make things better,” she says.

In the end, such a law comes down not to retribution but to fairness.

“Many of those on the inside acknowledge that they have to pay for what they did,” says Rivers. “The issue here is about procedural fairness and recognizing the racial unfairness and disproportionality that’s just baked into our criminal legal system. They just want fairness and they want to be heard. The vote is a way for them to be heard.”

“People who are incarcerated do not stop being citizens either in the legal sense or in the sense of being a member of the community. As they re-enter society, to have the right to vote again really completes the resumption of their citizenship. Anything else means they’re in society as second-class citizens,” she adds.