

A TN LAW MAKES IT EASIER FOR PEOPLE WITH FELONY CONVICTIONS TO VOTE

Unless you were convicted of certain felonies (see below), your right to vote can be restored when:

- Your sentence is complete.
- You have finished your probation and parole.
- You have paid all court-ordered restitution and court costs.
- You are current on court-ordered child support.
- You obtain and file a Certificate of Restoration and Voter Registration form (see “How to Register to Vote” below).

WHO CANNOT VOTE IN TN

If you were convicted of the following crimes during the dates listed, you cannot have your right to vote restored:

- First-degree murder, aggravated rape, treason and voter fraud if you were convicted between July 1, 1986 and June 30, 1996.
- Murder, rape, treason and voter fraud if you were convicted between July 1, 1996 and June 30, 2006.
- Murder, rape, treason, voter fraud, any violent sexual offense designated as a felony where the victim of the offense was a minor, and offenses against the administration of government (official misconduct) by elected or appointed officials if you were convicted on or after July 1, 2006.

VOTING FROM JAIL OR PRISON

You have the right to vote from jail and prison if:

- You're detained but not convicted.
- You've been convicted of only a misdemeanor.
- You were convicted of a felony between January 15, 1973 and May 17, 1981.

HOW TO REGISTER TO VOTE

1. Obtain a Certificate of Restoration application from your:

- Local county election office.

- The Tennessee Election Commission website. (<http://www.tn.gov/sos/election/forms/ss-3041.pdf>)

2. Have a Certificate of Restoration form completed by:

- Your probation/parole officer, the pardoning authority, or agent or officer of the supervising or incarcerating authority certifying that your sentence is complete, including all terms of probation and parole, AND
- The circuit or criminal court clerk or their agent, or the probation/parole officer, or an agent or officer of the supervising or incarcerating authority certifying that all court-ordered restitution is paid in full.

3. Deliver your completed Certificate of Restoration application to the local Election Commission office.

They will send it to the State Election Commission for their review and to make sure all child support obligations are current. You will be notified that your right to vote has been restored or that your restoration application has been denied and why.

4. If your right to vote has been restored, obtain a Voter Registration form from the local election commission office or the Tennessee Election Commission website and fill it out.

- Include your name and street address. (A P.O. box is not acceptable. If you are homeless, ask a local shelter or community organization to allow you to list their address).
- Fill in your birth date and social security number. Check that this is a new registration.
- Check that you have been convicted of a felony. Sign your name.

5. Deliver your completed Voter Registration form with your approved Certificate of Restoration to the local Election Commission office in the county in which you live or send it to the address listed on the form.

Be sure to keep a copy of both forms for your records.

NOTE: To vote in an election, you must complete the process above and register at least 30 days before the election

REGISTERED VOTERS

After you register to vote

You will receive a card informing you that your registration was completed (only in some counties).

OR

You will receive a voter card in the mail.

OR

You will receive a letter asking for more information. If you don't respond to the letter, you may not be allowed to register.

NOTE: Call the local Election Commission office if you do not receive any notice within two weeks from the date you turned in the forms.

Information about candidates

Sample ballots are published in the local newspaper. You can also contact your local Election Commission to learn if a sample ballot has been posted on the Internet. They will also be able to tell you where to vote and the hours the polls are open.

VOTER ID

Do I have to show ID?

- Most likely. If you are voting in person, you must show a government-issued ID that includes your name and photo.
- You won't need to show a photo ID if you live and vote in a nursing home, vote by mail, are hospitalized, have a religious objection to being photographed, or are low-income and don't have enough money to pay for a photo ID.
- You may obtain a free ID by going to the nearest Driver Service Center, showing them your proof of citizenship (such as a birth certificate) and two proofs of Tennessee residency (such as a copy of a utility bill, vehicle registration/title, or bank statement) and signing an affidavit stating that you do not have a valid government-issued photo ID for voting purposes.
- If you are low-income and can't afford a copy of the documents required to get a free photo ID, you may still vote if you sign a form stating under oath that you are indigent and have been unable to get a photo ID for voting without paying a fee.

What are the accepted forms of ID?

■ You can use a TN driver's license, a U.S. passport, a photo ID issued by the TN Dept. of Safety and Homeland Security, a photo ID issued by the federal or any state government, a U.S. military ID, or a state-issued handgun carry permit with your photo. You can use these IDs even if they are expired. You can't use college student IDs, even from public universities. You can't use photo IDs that are not from the federal government or a state government.

■ If you registered to vote by mail, you have to vote in person the first time you vote [unless you're a permanent absentee voter]. In addition to photo ID, you will need to bring proof of current residence to the polls.

PROBLEMS AT THE POLLS

If poll workers won't let you vote, you have the right to ask for a Provisional Ballot. After the election, the Election Commission will mail you a notice telling you if your vote was counted or rejected.

WHY VOTING IS IMPORTANT

Our vote is our voice. It is our right. It is key to a free democracy. It gives us power. It lets us be a part of the political life of America.

The United States is the only democracy in the world where the right to vote is taken away from many of its citizens. Some can never vote again because of a felony conviction. [A crime is a felony if the punishment is one year or more of jail time]. Research shows that people who commit crimes are more likely to stay out of prison or jail if they regain their right to vote, so helping former felons regain their right to vote helps everyone. Preventing people with felony convictions from voting is like taxation without representation.

CONSIDER THESE FACTS

- In Puerto Rico, Maine, and Vermont no one loses their right to vote, even if they are in jail or prison.
- In thirteen states and D.C., a former felon can vote while on probation or parole.

YET, AS OF 2010

- Former felons living in Tennessee who are on probation or parole cannot vote.
- In Tennessee, more than 7 percent of the adult population is disenfranchised.
- Nearly 5.85 million Americans cannot vote because of a felony conviction.
- Nearly 8% of African-American men in the US and approximately 1 in 5 African-American men in Tennessee could not vote because of a past felony conviction.

Tennessee Secretary of State:

(615) 741-7956

(877) 850-4959

www.state.tn.us/sos/election

ACLU-TN:

(615) 320-7142

www.aclu-tn.org/gethelp.htm

ACLU Voter Protection Hotline:

(877) 523-2792

Election Protection:

866-OUR-VOTE (687-8683)

US Department of Justice:

(800) 253-3931



LET ME VOTE

GET YOUR RIGHT TO VOTE BACK

★ TENNESSEE ★

A guide to voting with a felony conviction in Tennessee



The American Civil Liberties Union (ACLU) is a nationwide, nonprofit, nonpartisan organization with more than 500,000 members dedicated to defending the principles of liberty and equality embodied in the Constitution and our nation's civil rights laws. The ACLU does not endorse or oppose any candidate or party, but believes that no civil right is more important in our democracy than the right to vote.