

REGISTERING TO VOTE WITH A CRIMINAL CONVICTION

Q. CAN I REGISTER TO VOTE IF I WAS CONVICTED OF A FELONY IN IOWA?

A. If you were convicted of a felony in Iowa, you cannot vote if you are currently incarcerated or are on probation, parole, and/or supervised release. Once you complete all terms of your sentence, your right to vote is automatically restored. If you completed your sentence **before July 4, 2005**, your rights have been restored. If you completed your sentence **after July 4, 2005**, your rights will be automatically restored approximately three months after you have completed your sentence. You will receive a notice of restoration of voting rights from the Governor of Iowa.

Q. HOW DO I RECEIVE A NOTICE OF RESTORATION OF VOTING RIGHTS?

A. Notice typically arrives within three months of your discharge from supervision. To ensure notification of the restoration of your voting rights from the Governor, all you need to do is make sure the Department of Corrections or the Office of the Governor has the correct mailing address for you and then await arrival of the notice.

Q. IT'S BEEN MORE THAN THREE MONTHS SINCE I COMPLETED MY SENTENCE AND I STILL HAVEN'T RECEIVED A NOTICE. CAN I REGISTER TO VOTE?

A. You can register to vote even if you have not received notice of restoration, but before you register **you must confirm that your rights have been restored**. You can easily find out if your rights have been restored by calling the Office of the Governor at 515-281-5211. **You do not need to include a copy of your notice of restoration with your voter registration application.**

Q. CAN I VOTE IN IOWA IF I HAVE A MISDEMEANOR CONVICTION?

A. If you were convicted of a **non-aggravated misdemeanor**, you can vote, but you have to vote by absentee ballot if you are still in jail. Once you have been released, you can vote at your local polling site. If you were convicted of an **aggravated misdemeanor**, the process is the same as if you were convicted of a state felony.

Q. WHAT IF I WAS CONVICTED OF A FELONY IN ANOTHER STATE?

A. If your voting rights were restored in your state of conviction, you can register to vote in Iowa. If your voting rights were not restored in the state of your conviction, you must apply for restoration of voting rights in Iowa. To receive an application for voting rights restoration, contact the Office of the Governor at 515-281-5211.

Q. WHAT IF I WAS CONVICTED OF A FEDERAL FELONY?

A. If you have a federal felony conviction, your right to vote is automatically restored after you have fully completed your sentence **and** your supervision officer has sent the state confirmation of your discharge. Ask your supervision officer to send the Office of the Governor a copy of your discharge papers. Once this happens, your right to vote will be automatically restored and you will receive a notice of restoration in the mail. It is not necessary to file an application for rights restoration if you have a federal felony conviction. Contact the Office of the Governor at 515-281-5211 if you are unsure if your voting rights have been restored.

Q. WHY SHOULD I VOTE?

A. Your vote is your voice. It is a fundamental right and the cornerstone of our democracy. It gives us power and lets us play a part in American political life. The United States is the only democracy in the world that denies voting rights to such large numbers of people with criminal records for such long periods of time. When you take away the voting rights of people who have criminal convictions, it reduces their prospects of successful rehabilitation and reintegration into the community.

VOTER REGISTRATION INFORMATION

ONCE YOU'VE HAD YOUR VOTING RIGHTS RESTORED, YOU STILL HAVE TO REGISTER TO VOTE!

You can register to vote if:

- You are a citizen of the United States.
- You are a resident of Iowa.
- You are at least 17 1/2 years old, and will be 18 years of age on or before Election Day.

In Iowa, **you can register to vote up to ten days before a general or primary election, or on Election Day itself.** If at all

possible, we suggest you register ahead of time by filling out an Iowa voter registration form, which is available at your post office, public assistance office or DMV, or online at www.sos.state.ia.us/pdfs/elections/voteapp.pdf.

ELECTION DAY REGISTRATION

As of January 1, 2008, **Iowa law allows you to register to vote on Election Day** at the polling place for the precinct in which you currently live. If you did not register early but want to vote anyway, simply bring a valid photo ID to your precinct polling place. Locate your polling place at www.sos.state.ia.us/elections/VoterReg/PollingPlace/search.aspx.

If your photo ID does not show your correct address within the precinct, be sure to bring a bank statement or utility bill with your name and current address on it. **You do not need to show any proof of completion of sentence in order to register to vote.** Once the election official processes your voter registration, you will be allowed to vote on the spot.

COMMON ELECTION QUESTIONS

Q. MUST I SHOW A PHOTO ID TO ELECTION OFFICIALS IN ORDER TO CAST MY VOTE IN IOWA?

A. No. You simply must be a registered voter eligible to vote in your precinct. No ID is required. The one exception to this rule is if you are registering for the first time at a polling place on Election Day. If you register to vote on Election Day you will be asked for, and must produce, a valid photo ID and proof of residency.

Q. HOW DO I KNOW WHERE TO VOTE?

A. Your general election polling site is listed on your voter registration card. You can also find it by checking the web site of your county auditor, or by going to the web site of the Iowa Secretary of State. Please note that your polling place may differ based on the type of election.

Q. I AM REGISTERED TO VOTE BUT I HAVE LOST MY VOTER REGISTRATION CARD. HOW DO I REQUEST A REPLACEMENT?

A. You do not need to show a voter registration card to vote, but you can obtain a replacement by calling your county auditor.

Q. I HAVE MOVED SINCE I LAST REGISTERED TO VOTE. CAN I STILL CAST A BALLOT ON ELECTION DAY?

A. Yes. If you moved from one address to another within the same county, you can report the address change at the polling place for your current precinct when you go to vote. If you used to reside out of state or in a different Iowa county, you can use the Election Day Registration process described in this brochure to become a registered voter in your current county, after which you can immediately cast your ballot.

Q. HOW DO I KNOW WHEN AN ELECTION IS SCHEDULED?

A. The election schedule is available at www.sos.state.ia.us/elections/. For each election, a list of polling places and a sample ballot is usually printed in the newspaper as well.

Q. HOW DO I CHECK IF I AM REGISTERED TO VOTE?

A. The Secretary of State has a web page to verify voter registration at www.sos.state.ia.us/elections/.

This information is published by:
ACLU of Iowa
Campaign to Restore the Vote
505 Fifth Avenue, Suite 901
Des Moines, IA 50309
515-243-3576
www.aclu-ia.org

This brochure is a resource, not legal advice, on registering to vote with a criminal conviction in Iowa.

The American Civil Liberties Union of Iowa is our state's premier guardian of liberty, working daily in the courts, legislature and community to defend and preserve the individual rights and freedoms guaranteed by the Constitution and the laws of the United States and Iowa.



RESOURCES:

AMERICAN CIVIL LIBERTIES UNION OF IOWA

Campaign to Restore the Vote
505 Fifth Avenue, Suite 901
Des Moines, IA 50309
515-243-3576
www.aclu-ia.org

FOR QUESTIONS REGARDING RIGHTS RESTORATION, CONTACT:

OFFICE OF THE GOVERNOR

515-281-5211
www.governor.iowa.gov/administration/clemency.php
kristin.hardt@iowa.gov

FOR GENERAL VOTER REGISTRATION INFORMATION, CONTACT:

OFFICE OF THE SECRETARY OF STATE

1st Floor, Lucas State Office Building
321 East 12th Street
Des Moines, IA 50319

515-281-8993 (p)
515-281-7142 (f)
Toll Free 1-888-SOS-VOTE (1-888-767-8683)
www.sos.state.ia.us/elections/
sos@sos.state.ia.us

FOR ASSISTANCE REGISTERING TO VOTE, CONTACT:

IOWA CITIZENS FOR COMMUNITY IMPROVEMENT

515-255-0800

"The right to vote freely for the candidate of one's choice is of the essence of the democratic society, and any restrictions on that right strike at the heart of representative government."

—U.S. Supreme Court Chief Justice
Earl Warren, Reynolds v. Sims (1964)

Voting With A Criminal Conviction In Iowa

