

# **Frequently Asked Questions (FAQs) –**

## **Restoration of Citizenship Rights –**

### **Right to vote and hold public office**

(updated September 1, 2016)

**(1) Question:** **What is a Restoration of Citizenship Rights – Right to Vote and Hold Public Office?**

**Short Answer:** **It restores the right to vote of an individual after a felony conviction.**

The Governor of Iowa may restore an offender's right to vote and hold public office that was forfeited by reason of a felony conviction.

A Restoration of Citizenship Rights – Right to Vote and Hold Public Office does ***not*** restore an individual's firearm rights. If you are interested in obtaining your firearm rights – there is a separate application and FAQ on the homepage for Special Restoration of Citizenship Rights (Firearm Rights).

**(2) Question:** **Who is ineligible to vote because of a conviction?**

**Short Answer:** **An individual convicted of a felony.**

Under Iowa law, anyone convicted of an “infamous” crime loses the right to vote and hold public office. Any person convicted of a felony is barred from voting or holding office. In order to vote or hold public office, a person convicted of a felony must apply to the Office of the Governor for restoration of citizenship rights – right to vote and hold public office and have the Governor grant a restoration.

**(3) Question:** **I was convicted of an aggravated misdemeanor; did I lose my right to vote?**

**Short Answer:** **No.**

Under Iowa Constitution, only individuals convicted of an “infamous crime” lose their right to vote. The Iowa Supreme Court defined an “infamous crime” as a felony.

**(4) Question:** **I received a deferred judgment for a felony; did I lose my right to vote?**

**Short Answer:**

**Although you are unable to vote while serving the terms of your deferred judgment, after you discharge your sentence for your deferred judgment, your right to vote is restored.**

A deferred judgment constitutes a conviction until the defendant has completed their term of probation. Once the individual has completed their probation and terms of their deferred judgment, the individual is considered to not have been convicted of a felony; therefore, that individual has their right to vote.

**(5) Question:**

**I was convicted of a felony in federal court; can the Governor of Iowa restore my right to vote?**

**Yes.**

If you have been convicted of a federal felony, you are not eligible to vote in Iowa unless you had your citizenship rights restored. Although the Governor of Iowa cannot grant a full pardon for a federal crime, the Governor can restore your right to vote and hold public office within Iowa.

**(6) Question:**

**I was convicted of a felony out-of-state and the state where I was convicted restored my vote. Do I need to apply to have my voting rights restored in Iowa?**

**No.**

If you have been convicted of a crime outside the State of Iowa, you are not eligible to vote in Iowa unless you have had your citizenship rights restored. If your voting rights were restored in the State where you lost your rights because of a felony conviction, your voting rights are restored.

**(7) Question:**

**Must I complete my court costs, restitution, and fines before I apply?**

**No. You must submit documentation demonstrating you are on a payment plan and have paid on these costs in good faith.**

If you have not completed your court costs but are current on your payment of court costs, restitution, and fines and continue to pay these costs in good faith, you must submit documentation of your payments along with an explanation of your payments and why they are not completed.

**(8) Question:** **When can I apply to have my right to vote and hold public office restored?**

**Short Answer:** You may apply after you discharge your sentence.

**(9) Question:** **If I discharged my sentence before July 4, 2005, how do I provide proof of restoration of citizenship rights?**

**Short answer:** You do not need a certificate; instead, you may show a copy of Executive Order 42.

Offenders who discharged their sentences prior to July 4, 2005, will not receive a separate restoration of citizenship certificate. Instead, Executive Order 42, itself, serves as evidence of restoration of citizenship rights for such offenders. You should not need any documentation to prove your restoration of citizenship if you met the criteria under Governor Vilsack's Executive Order 42. If documentation is required by your County Auditor, you may provide a copy of Executive Order 42. A copy of Executive Order 42 is available electronically at the following web address: [http://publications.iowa.gov/3762/1/EO\\_42.pdf](http://publications.iowa.gov/3762/1/EO_42.pdf).

**10. Question:** **Does a restoration of rights (right to vote and hold public office) restore my firearm rights or pardon me?**

**Short Answer:** No.

A restoration of citizenship rights (right to vote and hold public office) only restores your right to vote and hold public office. If you wish to seek a pardon or have your firearm rights restored, you must obtain and submit the Pardon and Special Restoration of Citizenship Rights (firearm rights) application to the Clemency Coordinator.

**11. Question:** **If I have my citizenship rights restored, do I need to re-register to vote?**

**Short Answer:** Yes.

Once your voting rights are restored you must register to vote. Although Iowa has same-day voter registration, it is recommended to register vote prior to Election Day. Please contact your County Auditor or the Iowa Secretary of State's office for voter registrations forms. The Iowa Secretary of State's website: <http://www.sos.state.ia.us/>.

**12. Question:** **I lost my voting rights certificate, how do I obtain a duplicate restoration of my citizenship rights certificate?**

**Short Answer:** Call the Office of the Governor at (515) 281-5211.

**13. Question:**

**My voting rights were previously restored and I was convicted of a felony after I received my restoration of voting rights; what happens if an individual re-offends?**

**Short Answer:**

**You must apply to have your voting rights restored after you discharge your sentence.**

If an offender is convicted of an “infamous crime” after having their citizenship rights restored, they again lose the right to vote and hold public office.