

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

TREVA THOMPSON, et al.)	
)	
Plaintiffs,)	
)	
)	Civil Action No.
v.)	2:16-cv-783-WKW
)	
STATE OF ALABAMA, et al.,)	
)	
Defendants.)	

**DEFENDANTS' OPPOSITION TO PLAINTIFFS'
MOTION TO SHORTEN TIME (Doc. 57)**

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The defendants respectfully oppose the plaintiffs' motion to expedite briefing and a hearing on their motion for a preliminary injunction. The Court should deny the motion for a preliminary injunction without further briefing or a hearing because the plaintiffs obviously cannot meet the high bar for an emergency mandatory injunction and the equities clearly outweigh granting one. In the alternative, the Court should schedule orderly briefing and a hearing in a way that allows a full and fair adjudication and does not prejudice defendants and their counsel, even if not in time for a ruling before the August special primary election.

In the plaintiffs' complaint, they argued that Alabama was violating the Constitution because it was not crystal clear whether a felon's crime was a crime of moral turpitude that would preclude him or her from voting. *See* Doc. 1 at Counts 6-10. On that basis, the plaintiffs sought to prospectively "enjoin[] Defendants from denying any voter registration applications on the basis of felony convictions." *See* Doc. 1 at Prayer for Relief. They filed that complaint on September 26, 2016. *See* Doc. 1. They did not seek a preliminary injunction before the November election when state and federal officeholders, including the President of the United States, were on the ballot. And this Court later stayed discovery in light of the defendants' substantial motion to dismiss the complaint in its entirety. Doc. 53.

Long before this lawsuit was filed, however, the Secretary of State began working on legislation that would explicitly define the felonies that would make a

voter subject to disenfranchisement. Because of his work and with his support, the Alabama Legislature unanimously passed the “Felony Voter Disqualification Act” this Legislative Session. It was the Legislature’s intent to “provide a comprehensive list of acts that constitute moral turpitude for the limited purpose of disqualifying a person from exercising his or her right to vote.” ALA. CODE § 17-3-30.1(b)(2)(c). The Governor signed this legislation into law on May 24, 2017, and its effective date is August 1, 2017.

The new law gives the plaintiffs the certainty that they said was lacking and moots Counts 6 through 10 in their complaint. When effective, it will plainly render two of the named plaintiffs eligible to vote, Antwoine D. Giles and Laura Corley,¹ and remove any purported uncertainty from the other named plaintiffs by specifically listing their crimes of conviction. Nonetheless, the Friday before a holiday weekend, the plaintiffs filed a purportedly urgent preliminary injunction motion that they ask this Court to resolve on an expedited basis. *See* Docs. 56 & 57. The motion is based solely on their defunct claims about the lack of consistency in the state’s

¹ Plaintiffs Giles and Corley have only alleged convictions that are not included in the definition of moral turpitude in the new law. Plaintiff Giles has alleged that he was convicted of “stalking in the first degree, a class C felony” under ALA. CODE § 13A-6-90. Doc. 1 at ¶ 42. Plaintiff Corley has alleged that she was convicted of “two counts of possession of a controlled substance, class C felonies” under ALA. CODE § 13A-12-212. Doc. 1 at ¶ 44. Defendants had previously argued that Plaintiff Giles had been convicted of a felony involving moral turpitude but that Plaintiff Corley had not. Doc. 43 at 49. Now, however, the Act provides an exhaustive list of felonies involving moral turpitude. ALA. CODE § 17-3-30.1(c). And neither of these offenses appear in this statutory list. *See id.*

old disenfranchisement regime. Although the motion purports to seek a remedy for a past constitutional violation, the plaintiffs' real objective (and express request) is for this Court to expedite and micromanage the Secretary of State's roll out of the new law that moots their claims. Where exactly the plaintiffs believe this Court gets the authority to order the "full implementation of governing Alabama law" is completely unclear. *Compare* Doc 56 at 28. with *Pennhurst State Sch. & Hosp. v. Halderman*, 465 U.S. 89, 106 (1984).

The Court should not expedite briefing or a hearing on this motion for preliminary injunction for four reasons.

First, the plaintiffs' motion to expedite is prejudicial to the defendants. Many state employees are on leave during the week of Independence Day and the Secretary's staff will soon start preparing to conduct the special election. Because the plaintiffs have chosen to file this motion on the Friday before a holiday weekend, the defendants will likely not be able to contact or confer with many of the state-employee witnesses they will need to respond on to the plaintiffs' factual assertions on the merits. And, because the Secretary and his staff have an upcoming election to run, they should not have to prioritize this litigation over the actual work of registering voters, training registrars, and rolling out the new law. Indeed, like many people, the undersigned counsel has vacation plans for several days in the week of July 4. But even if undersigned counsel were to cancel their own vacation plans for

the upcoming week, it is unlikely that counsel will be able to fully contact witnesses, etc. to prepare a fulsome factual rebuttal to plaintiffs' motion with only the week of Independence Day to do it.

Second, if the plaintiffs had wanted to enjoin and retrospectively remedy Alabama's previous purportedly arbitrary system of felon disenfranchisement, they could have filed a motion for preliminary injunction at any time over the nine months this case has been pending. They did not. Instead, they waited until: (1) the Legislature had passed legislation that will moot Counts 6 through 10 of their complaint (2) 30 days before registration closes for the single-office special election for which they seek to register voters and (3) the Friday before a holiday weekend.

The Court should not accommodate plaintiffs' delay with an expedited hearing. Under Eleventh Circuit law, "[a] delay in seeking a preliminary injunction of even only a few months—though not necessarily fatal—mitigates against a finding of irreparable harm." *Wreal, LLC v. Amazon.com, Inc.*, 840 F.3d 1244, 1248 (11th Cir. 2016); *see also Pals Grp., Inc. v. Quiskeya Trading Corp.*, No. 16-23905, 2017 WL 532299, at *6 (S.D. Fla. Feb. 9, 2017) ("[C]ourts typically decline to grant preliminary injunctions in the face of unexplained delays of more than two months.") (internal quotation and citation omitted). "Indeed, the very idea of a preliminary injunction is premised on the need for speedy and urgent action to protect a plaintiff's

rights before a case can be resolved on the merits.” *Wreal*, 840 F.3d at 1248. (emphasis in original) (internal citations omitted). If the plaintiffs were really worried about felons being registered to vote, they should have filed a motion for a preliminary injunction much sooner. After all, the plaintiffs are still alleging that the old law is unconstitutional, not the new one. And they are seeking relief for an election that has been scheduled since April.

On top of the plaintiffs’ delay, the Court should also note that the plaintiffs are not seeking an expedited hearing to preserve the status quo, but an expedited hearing to alter it. “The purpose of a typical preliminary injunction is prohibitive in nature in that it is “‘merely to preserve the relative positions of the parties until a trial on the merits can be held.’” *Boyd v. Steckel*, 753 F. Supp. 2d 1163, 1168–69 (M.D. Ala. 2010) (Fuller, J.) (quoting *United States v. Lambert*, 695 F.2d 536, 539 (11th Cir.1983) (quoting *Univ. of Tex. v. Camenisch*, 451 U.S. 390, 395 (1981))). “The burden on the party seeking a typical, prohibitive preliminary injunction is particularly high.” *Id.* (citing *All Care Nursing Serv., Inc. v. Bethesda Mem. Hosp., Inc.*, 887 F.2d 1535, 1537 (11th Cir.1989) (“Preliminary injunctions are issued when drastic relief is necessary to preserve the status quo.”)). However, where, as here, “a preliminary injunction goes beyond the status quo and seeks to force one party to act, it becomes a mandatory or affirmative injunction and the burden placed on the moving party is increased.” *Mercedes-Benz U.S. Int’l, Inc. v. Cobasys, LLC*, 605

F.Supp.2d 1189, 1196 (N.D.Ala.2009) (*citing Exhibitors Poster Exch., Inc. v. Nat'l Screen Serv. Corp.*, 441 F.2d 560, 561 (5th Cir.1971)). A mandatory preliminary injunction “should not be granted except in rare instances in which the facts and law are clearly in favor of the moving party.” *Exhibitors*, 441 F.2d at 561 (quotation omitted). As the state’s substantial motion to dismiss and the court’s subsequent stay of discovery already shows, the plaintiffs would not be able to meet that incredibly high bar, even if they had filed a timely motion. Since that briefing, the plaintiffs’ claims have only gotten weaker because the Legislature has acted to change the law in the very way their complaint suggests.

Third, the plaintiffs’ motion for a preliminary injunction is really an improper attempt to amend their complaint to allege new claims that they have never alleged and seek new relief that they have never sought. In their complaint, the plaintiffs sought to enjoin Alabama’s former system of felon disenfranchisement. *See* Doc. 1 at Prayer for Relief. But that system will soon be over, thanks to the new law. The plaintiffs’ complaint made no allegations about the Secretary’s purported failure to provide notice of a new law, about his purported failure to change the voting forms to account for a new law, or anything else that they now allege for the first time in their motion. The plaintiffs cannot ask for injunctive relief pertaining to the rollout of the new law without amending their complaint, and they cannot unilaterally

amend their complaint because such an amendment would be untimely by about six months.

Fourth, although the plaintiffs erroneously suggest their request for relief is urgent, it is not. The Secretary of State fully supports the new law and is implementing it in a deliberate fashion, which may include doing many of the things that the plaintiffs suggest he has not done. He is in the best position to determine in the first instance how this law should be rolled out. And, in point of fact, the Secretary of State has already modified the registrars' handbook for conducting elections to incorporate the new law. *See* Exh. A (handbook). Civic groups are actively registering felons to vote in the August election under the auspices of the new law. *See* Exh. B (al.com article reporting on felon voter drive in Houston County jail). And the Secretary of State's staff is participating in training on the new law in coordination with the ACLU and Legal Services of Alabama. *See* Exh. C (training agenda). It makes no sense for the plaintiffs to claim that expedited judicial intervention is necessary to compel the Secretary to implement legislation that he sponsored and that he supports.

On the other hand, it is a complicated thing to roll out a new election law. Major changes, in particular, should be carefully studied and not rushed this close to an election. As this Court and the Supreme Court have recognized, there is an important "principle of election law" that, "because of the risk of voter confusion,"

there should not be “last-minute changes to the status quo.” *Hall v. Merrill*, 212 F. Supp. 3d 1148, 1157 (M.D. Ala. 2016) (Thompson, J.) (citing *Purcell v. Gonzalez*, 549 U.S. 1 (2006) (per curiam)). The Secretary is heeding that principle by rolling out the law in a deliberate and measured fashion. There is no reason for this Court to even consider injecting itself into that process before it is over.

The Court should deny plaintiffs’ motion to expedite. The Court should either deny the motion for a preliminary injunction without further briefing and a hearing or schedule briefing and a hearing in a way that allows a full and fair adjudication without prejudice to defendants and their counsel, even if not in time for a ruling before the August primary election.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that, on June 30, 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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EXHIBIT A

BOARD OF REGISTRARS HANDBOOK



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- Attendance Report.....
- Travel Reimbursement Claim (to County Commission).....
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- Reimbursement Travel Voucher (to State Comptroller).....
ONLY after Registrars have been reimbursed by the County Commission, can the commission submit the Comptroller form for state reimbursement. Copies of the reimbursement claims of each registrar, any receipts and documentation that the county paid the claim must accompany the comptroller form.
- NVRA-24 (Third Party Report of Voter’s Change of Residence or Death).....
- Board of Registrars College Day Visitation Form.....

Sample Letters:

- Removal Due to No Longer Resident of County.....
- Incomplete Voter Application.....
- Final Notice for Registration.....
- Inactive Status Due to Incomplete Information.....
- Voter Registration – Incomplete Information Update Form.....
- Felony Conviction – Intent to Remove (Certified).....
- Felony Conviction (Non-Certified).....

These are provided as a way to help organize & streamline Criminal Conviction Information:

- Criminal Conviction Cover Sheet (Optional).....
- Criminal Conviction Notes Page (Optional).....

CONTACT INFORMATION

Websites:

Secretary of State
Alabama Votes

www.sos.alabama.gov
www.alabamavotes.gov

Secretary of State Office:

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Federal Election Commission..... 1-800-424-9530, www.fec.gov

Photo Voter ID implementation includes a third party vendor: **Police & Sheriffs' Press, Inc. (PASP)**
They are available for technical information, equipment, procedures or function, and status of IDs.

PASP Support..... 1-800-707-3080, www.pasp365.com, info@pasp365.com

District Court Information:

U.S. Middle District Court..... 334-954-3600 (Montgomery)
U.S. Northern District Court..... 205-278-1700 (Birmingham);
256-534-6495 (Huntsville);
205-561-1670 (Tuscaloosa)
U.S. Southern District Court..... 251-690-2371 (Mobile)
AOC (Administrative Office of Courts)..... 1-866-954-9411

Board of Pardons & Paroles..... 334-353-7771 or 334-353-8067

The New Quick Reference Guide

& Power Profile User Guide..... Located on Citrix – 1st log-in to Power Profile

REGISTRAR JOB DESCRIPTION

Members of a County Board of Registrars Responsibilities:

- Election File Management
- Voter Registration
- Voter File Maintenance
- Election Management
- Work with Registrars, Office Staff, City, County, and State Officials
- Work and Cooperate with the Sheriff, Circuit Clerk, County Commission, and Probate Judge

A member of a County Board of Registrars must exhibit excellent communication and organizational skills. Organizational skills include data processing and accurately keeping records. They must maintain the integrity of the office by protecting information, which means that they must keep protected information confidential and must work assigned days, attend required trainings, follow all election laws, and administrative guidelines.

A member needs to have a clear understanding on how to operate computer software and applications. They must know how to work all office equipment, no exceptions.

Registrars must work closely with the Sheriff, Circuit Clerk, Judge of Probate and County Commission in their county. The Secretary of State is the Chief Election Official in the State of Alabama.

Duties (including but not limited to):

1. Voter Registration:

- Follow all election laws, administrative guidelines, and instructions from the Office of the Secretary of State
- Process, retrieve, and sort voter registration applications obtained from the U.S. Postal Service, in-person applicants, online, or from federal or state agencies.
- After processing voter applications, scan applications and other required documents into the voter registration system and file applications
- Mail notifications to applicants concerning the status of the registration application. The notification must be mailed in a timely manner.
- Voter Information Postcards
- Letters of Voter Information Updates
- Polling Place and/or Precinct Changes
- Notification of Ineligibility or Incomplete or Incorrect Voter Information
- Address voter record errors, duplicate registrations, invalid addresses; make corrections to any invalid information
- Must have map reading skills to address street file system information and be able to properly determine city and county district lines for voters

2. Voter File Maintenance:

- Abide by all election laws and administrative guidelines that pertain to voter file maintenance in Alabama
- When dealing with felons, conduct the following actions:
 - a) Process felon notices received from the U.S. Postal Services, in-person, or electronically
 - b) Retrieve felon notices and judgements from the U.S. District Court system, Secretary of State, & Administrative Office of Courts
 - c) Scan these notices and file them accordingly

- d) Notify felons of ineligibility
 - e) Inform current voters convicted of felonies of moral turpitude of disqualified status through the mail services and purge them from the voter file in a reasonable time frame
 - When dealing with the disqualification of voters, conduct the following actions:
Comply with Interstate Crosscheck, Electronic Registration Information Center (ERIC), National Voter Registration Act (NVRA), registration notices from other states and disqualify voters declared “mentally incompetent” by the probate judge.
 - When dealing with the deceased, conduct the following actions:
Process information received from the Alabama Department of Public Health (hard copy) and Alabama Voter Registration System, and NVRA-24 Form.
- 3. Provisional Ballot Management:**
- Abide by all election laws and administrative guidelines that pertain to provisional ballot verification
 - Obtain provisional ballot rosters, statements, and update forms from county election officials
 - Review absentee provisional ballot information records and polling places to determine if each provisional ballot and challenged ballot should be rejected or counted
 - Accept photo identification up to the Friday following an election day for those who didn’t have proper identification at the polls or when voting absentee
 - Submit provisional ballot results to the probate judge by noon on the seventh day following the election
- 4. Photo Voter ID:**
- Abide by all election laws and administrative guidelines that pertain to the Free Alabama Photo Voter ID
 - Must receive certification to manage and use the hardware and software to issue an identification card under the Free Alabama Photo Voter ID
 - Review, accept, and verify voter registration information with an individual’s Free Alabama Photo Voter ID application. Update information if needed.
 - Review and accept identifying documentation used by the voter in order to obtain the Free Alabama Photo Voter ID.
- 5. Minimum Requirements to be a Registrar:**
- At least 18 years old
 - Registered Voter
 - High School Diploma or GED Certificate
 - Basic computer and map reading skills
 - (Preferences) Courses in Business Practice, Typing or Clerical Work (6 months of experience)
 - Must be willing to Interview

QUALIFICATIONS

The Board of Registrars in each county consists of three “reputable and suitable” electors of the county. Each registrar must be a qualified elector and a resident of the county in which they serve, must have a high school diploma or the equivalent, and must possess the minimum computer, map reading and office skills necessary to fulfill the responsibilities of the role. Members are appointed by a state board of appointment composed of the Governor, the State Auditor, and the Commissioner of Agriculture and Industries. (Pg. 222 of 17th edition of Alabama Elections Handbook)

Registrars serve four year terms from the date of appointment unless removed for cause by the Secretary of State. An exception to this is when a board vacancy occurs during a term, in which case the appointee will serve the remainder of the original term.

CHAIRPERSON

The appointing board will name one of the registrars to serve as chairperson (§17-3-2) unless a consensus of the Board of Registrars nominates another. Generally, the chairperson has no more authority than any other registrar and cannot unilaterally exercise the authority of the board (212 Atty. Gen. Op. 114). However, the chairperson is authorized to preside over official business meetings and to purchase necessary office equipment and hire necessary help for the board, with concurrence of the County Commission.

DUTIES

The most important task of the Board of Registrars is voter registration. Registrars must decide whether to accept or reject a voter application, assign a registered voter to the proper precinct, maintain and update the voter file, maintain records of the office, certify alphabetical lists of registered voters for polling places, provide proof of registration to voters, and notify registration officials in other states when a voter transfers from another state. Registrars are authorized to take applications and administer oaths to residents.

Applications may be taken by an individual registrar, but it takes a quorum, consisting of a majority of the Board of Registrars to consider any official business, and a majority of the board has to approve any official action, such as approving individual voter registrations or issuing a denial of a voter's registration.

A registrar working alone can perform many duties, including taking applications, updating records, and answering questions.

SIX MONTH SKILLS CHECKLIST:

(See 'Quick Reference Guide' for detailed instructions for various skills)

- Works cooperatively with staff, public, local, and state officials
- Demonstrates communication (phone etiquette) and organizational skills
- Demonstrates a willingness to learn
- Proficiency in all office equipment
- Proficiency in typing (word and data processing)
- Accurate and orderly filing system
- Map reading skills
- Practices confidentiality
- Attends trainings
- Works assigned days
- Abides by election laws, administrative rules, and procedures
- Basic understanding of Title 17 Chapter 3 & 4
- Process electronic & paper voter registration applications & updates without duplicating
- Properly transfer voters from other counties
- Notify registration officials in other states of voter cancellations
- Print Voter Information Cards
- Become Certified & proficient in processing Photo Voter ID's
- Mail notifications to registrants in a timely manner
- Process returned/undeliverable postcards & Photo Voter ID's
- Properly Purge Voters: Death, moved to another county/state, Felons, Mentally Incompetent, Interstate Crosscheck
- Document pertinent voter information under 'Notes' tab in Power Profile

ADVANCED SKILLS CHECKLIST: (after 6 months)

- Potential Duplicate Voter Registration Reports
- Potential Address Error Reports
- Order Supplies
- Add new street names to street file system as needed & assign street segment to correct precinct part
- Run Official Voters List
- Process felon applications based on moral turpitude, write felon letters & process certified felon notices in a timely manner via certified mail
- Process provisional ballots & Provisional Ballot Report for Probate Judge (polls & absentee)
- Scan pertinent documents – Voter Registration applications, Undeliverable ID cards, Felon Notices, Etc.
- Street File Maintenance

COLLEGE VISITS

The Alabama Elections Code requires registrars spend at least one full working day, during the school year, on campus assisting and encouraging students to register to vote. This is required for all state funded schools and community colleges with 500+ students. Registrars are required to give the school 12 days of notice of the date, time, and location that they will register voters. (See appendix for Board of Registrars College Day Visitation Form)

VOTER FILE MAINTENANCE

Each county publishes the list of names to be removed from the voter lists in a 4-year cycle. The list was last published in December of 2016, and the next list will be posted December of 2020. These are the names of registrants who did not return address confirmation notice, or whose notice was returned undeliverable, and who did not vote in at least one election during the period of two federal election cycles or otherwise update their information.

VOTING PRECINCTS

The board plays a limited role in developing voting precincts, as these decisions are made by the County Commission. The board may provide statistics on numbers of voters affected by proposed changes and will send voter notices when precinct changes are adopted by the Commission.

DETERMINING IF A PERSON IS QUALIFIED TO REGISTER/VOTE

Page 31-32 in the 17th Edition of the Alabama Election Handbook, and again on page 86, 173-174, 229-231. An applicant qualifies to vote if he/she are:

- 18 years old (a 17 ½ -year-old may submit an application if he/she will turn 18 on or before the election)
- U.S. Citizen
- Must NOT be judged mentally incompetent in a court of law or convicted of disqualifying felony
- Resident of the State of Alabama
- Must vote in the county and voting place where he/she is domiciled. The voter does not lose their domicile by temporary absence or being absent due to military service.

DETERMINING IF A PERSON IS UNABLE/DISQUALIFIED FROM VOTING

Page 230 & 233 of the 17th Edition of the Alabama Election Handbook states that a voter is disqualified from voting if the voter is convicted of a felony of moral turpitude, deemed mentally incompetent, moved outside of the jurisdiction, deceased; not yet 18, or not a citizen.

CONFIRMING DEATH & REMOVAL FROM THE VOTER ROLLS

The County Board of Registrars receives from the Bureau of Vital Statistics of the State Department of Public Health information concerning deaths of all persons over 18 years of age who resided in their county. The information may come as a hard copy list or may be provided electronically through a connection between the statewide voter registration system and the Department of Public Health (Pg. 233 in the 17th Edition of the Alabama Election Handbook). Family members of voters who are deceased may supply a copy of the death certificate if they have it and may submit an NVRA-24 form with the pertinent information.

WHEN A JUDGE DECLARES A PERSON ‘MENTALLY INCOMPETENT’

Page 233 of the 17th Edition of the Alabama Election handbook states that the judge of probate will provide monthly lists to the board of registrars of adults in the county who have been declared mentally incompetent. Any of these names who are registered voters should then be removed for this reason.

NOTARY PUBLIC QUESTIONS

- Before answering **ANY** questions concerning a voter make **SURE** you are speaking with the voter themselves. Ask them to verify by having them provide their name, date of birth, address, last four digits of social security number, or driver license's number.

Persons filling out Notary Public Forms to Update or Apply to become a Notary may call requesting:

- The date they last registered to vote – give them the Original Registration Date listed
- Their ‘Beat’ – give them the Precinct Number
- Their ‘Box’ – give them the name of their polling place

INQUIRIES ABOUT VOTERS

- You may answer that a person is a registered voter, but can not give out additional information about voters other than to the voters themselves. You must verify that you are speaking with the voter.
- Requests from government agencies for purposes related to work are acceptable, but it is recommended that they provide the request in writing for you to have on file.

PAPER FILING SYSTEM (*Recommendations for Uniform Practices*)

Style A:

- Files should be based on the calendar year and not the fiscal year.
- Registration and Update forms should be filed separately and by year.
- Each year should have its own file folder for photo IDs made or rejected.
- Each year should have its own file folder for Removals (Death notices, notices from other states, etc.)

- Each year should have a folder for any ALEA forms received that are DL address changes not registered to vote and did not sign that they wish to register.
- Criminal Conviction files should be alphabetized only and kept separately.

Style B:

- Label a folder with each registered voter's name in your county.
- File each folder alphabetically according to voter's last name.
- Forms which should be included in each voter's file:
 - Registration forms (paper and electronic)
 - Update forms (paper and electronic)
 - Registration/update forms which could not be processed due to omissions
 - A copy of all Photo Voter IDs issued and/or rejected
 - Documentation showing voter was removed from voter list for any reason
 - ALEA forms
 - ERIC forms
 - All documentation and correspondence relating to criminal conviction(s) of moral turpitude
 - Documentation of being declared mentally incompetent
 - Any information/notes the Registrar deems important

STREET FILE MAINTENANCE

In order to determine whether the county street files are in order:

- Run a Condensed Street File Report
 - 1) Click 'Report'
 - 2) Click 'Street File'
 - 3) Click 'Condensed Listing'
 - 4) Make sure 'By street name and #' is marked
 - 5) Print
- Get a copy of E911 Street File Listings with high and low parameters
- Match spelling of streets, suffixes (St., Dr., Rd., etc.), parameter numbers (high and low end of streets), etc. with E911 information
- Make sure EVERY street in the county is listed in your street files according to E911 listing EVEN if no one is registered there
- Look over condensed report for spaces, spelling, duplicates, overlapping segments, etc.
- Run a Street File Exception Report
 - 1) Click 'Report'
 - 2) Click 'Street File'
 - 3) Click 'Exception'
 - 4) Click 'Submit'
 - 5) Look in Jobs list for indication of when report is complete
 - 6) Go to Print List and print your report

This will show you any additional issues you may not have discovered already

In the "Quick Reference Guide" located as you log into Power Profile you will find detailed steps for: Street File Maintenance on pages 135-145.

PERMISSIBLE FORMS OF PHOTO ID DOCUMENTATION AT THE POLLS

ALABAMA DRIVER LICENSE OR NON-DRIVER IDENTIFICATION CARD

- An Alabama driver license and an Alabama non-driver identification card are valid forms of identification for voting as long as the license or card is not expired or has been **expired for less than 60 days**. In Attorney General's Opinion 2003-212, the Attorney General stated that "[a] poll worker, when presented with a driver's license, should observe the document to determine that it has not expired for more than 60 days ..."
- A temporary paper copy **can** be used to vote, but **NOT after it expires**. There is no grace period for the temporary license/ID card.

Further, an Alabama driver license and an Alabama non-driver identification card are valid forms of identification for voting even if the voter's address on the license or card does not match the address on the voter list. Election law does not require the address on the license or card to match the address on the voter list. Further, in Attorney General's Opinion 2003-212, the Attorney General stated that "[a] driver license that contains a person's previous address does not invalidate the license."

DRIVER LICENSES AND OTHER PHOTO IDS ISSUED BY OTHER STATES

A driver license or any other identification card issued by a state other than Alabama is a valid form of identification for voting as long as it contains a photo of the voter and has not expired. Alabama law specifically provides that a photo identification document issued by any state other than Alabama is a valid form of photo identification for voting in Alabama [see §17-9-30(a)(2), Code of Alabama (1975)].

OTHER ACCEPTABLE IDENTIFICATION:

- Valid Alabama Photo Voter ID
- Valid Federal issued ID
- Valid U.S. Passport
- Valid Employee ID from Federal Government, State of Alabama, County, Municipality, Board or other entity in this state
- Valid student or employee ID from a public or private college or university in the State of Alabama (including postgraduate technical or professional schools
- Valid student or employee ID issued by a state institution of higher learning in any other state
- Valid Military ID
- Valid Tribal ID

PHOTO VOTER ID

Beginning with the June 3, 2014 primary election each Alabama voter is required to have a specific type of photo identification at the polls in order to vote. If the voter does not have one of the approved forms of ID they may receive a free Alabama photo ID card from the Secretary of State's Office, the Board of Registrars Offices in each county, or mobile locations determined by the Secretary of State's Office. Additionally, voters may acquire a free non-driver's license from the Alabama Law Enforcement Agency, in the event that they do not have a valid photo ID. Each office should have copies of and be familiar with the information contained in the Alabama Photo Voter ID Guide.

Examples of photo ID documents that can be used to obtain a free AL Photo Voter ID but can NOT be used at the polls:

- Student ID issued by a public or private high school
- Student or Employee ID issued by private university or postgraduate technical or professional school located outside the state of Alabama
- Employee ID card NOT issued by a branch, department, agency, or entity of the US government, the State of Alabama, or any county, municipality, board, authority, or entity of the State of Alabama
- Hospital/Nursing Home ID card
- Wholesale Club or other membership card
- Expired Driver/Non-Driver License (In or Out of State)

Examples of NON-Photo ID Documents that can be used to obtain a free AL Photo Voter ID:

- Birth Certificate
- Hospital or Nursing Home Record
- Marriage Record
- State or Federal Census Record
- Medicare or Medicaid Document
- Social Security Administration Document
- Certificate of Citizenship
- Official School Record or Transcript

Acceptable Times When a Photo ID is NOT Required to Vote:

- A voter who is entitled to vote by absentee ballot pursuant to the Voting Accessibility for the Elderly and Handicapped Act or any other federal law shall NOT be required to produce identification when voting by absentee ballot.
- An individual eligible to vote by absentee ballot pursuant to the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) is not required to provide ID prior to voting.
- A voter at the polls without a photo ID in their possession that can be positively identified by two or more election officials as a voter on the poll list, who is eligible to vote, and the election official signs the voter list by the voter's signature, shall be permitted to vote a regular ballot.

Ordering Additional TVIC Forms:

Email *The Alabama Support Representative – Ann Hall* at ann@pasp365.com and request the TVIC forms. Identify which county you are with and provide a mailing address where the forms can be sent (*Note: a P.O. Box must be large enough to receive 8 ½ X 11" paper without being bent*). Indicate the last TVIC number you ended with.

Quick Reference Guide

CREATING AN ALABAMA PHOTO VOTER ID

1. Open the Alabama Voter ID Card System by double clicking on the icon on your desktop (Windows XP/Window 7)
 2. Enter your user name and password. Click on “Login.” (Select the correct county in which the applicant is registered to vote from the dropdown. You may issue a photo voter ID to a voter registered in another county.)
 3. Click on “Issue New Voter ID.”
 4. Enter all the information about the voter. Please follow these instructions to create the Voter ID properly:
 - a) The TVIC (Temporary Voter Identification Card) number is the receipt number that is printed in red on the TVIC forms that are furnished by Police & Sheriffs Press. Each TVIC form has a unique number.
 - b) Continue entering the voter information. Note that when you entered the voter’s address, the mailing address was automatically filled in. If the mailing address is different, change the information in the mailing address section, otherwise please leave it as is.
 - c) When you are finished entering the voter information, you will need to capture their photo. Click on “Take Photo” on the left.
 - d) Click on “Select Another Digital Device,” and select “in-Photo ID Webcam”. (You don’t have to do this step every time. Once entered, the system will remember your selection.)
 - e) Click on “Take Photo.”
 - f) Click on “Capture” to capture the photograph.
 - g) Move and resize the crop box around the face with the black boxes. To move/resize, click and hold on one of the black boxes and move it. If needed, change brightness and contrast. Click “OK.” The data entry is now complete.
 5. Click “Preview ID.”
 6. Turn on Printer.
 7. Verify that the information is correct. If all the information is correct, please load the TVIC with the matching TVIC number into the printer according to the instructions on the form and click “Print Temporary Voter ID.” If you need to make changes, click on “Cancel Printing,” update the information and go back to step 5.
 8. Hand the printed TVIC form to the voter and ask him/her to verify the information. Once the voter has verified their information is correct, click on “Information Confirmed – Submit for Card Printing” button.
 9. If information is incorrect, click on “Error Found – Correct and Reprint Document” button. You will be given a way to correct the application and reprint the TVIC form. Please note that TVIC number is now blank. You will need to enter the number of the new TVIC.
 10. When you click on “Information Confirmed – Submit for Card Printing” button, the card will be automatically submitted to the server over the internet connection.
-

RESETTING THE PHOTO VOTER CAMERA

If Step '4d' on the Photo Voter ID Quick Reference Guide fails to turn the camera on

To Reset Camera:

1. Select icon 2 (In photo ID Webcam) and double click to pull up
 - The screen will go black.
2. Right click your mouse and a small window with options will appear
3. Select the "Camera" option
 - Another small window of options will appear
 - Select "Select Camera"
 - Next, a new box will appear and will list the camera's name "Logitech HD Pro Webcam C920"
4. Highlight the "Logitech HD Pro Webcam C920" camera option in blue
 - Then hit the "ok" box
5. This should turn the camera on and the screen will no longer be black, but instead you are viewing whatever image the camera is pointed at.



REGISTERING TO VOTE ONLINE (via alabamavotes.gov)

1. Open alabamavotes.gov web page
2. Locate the “Voter Registration” icon and click
3. At the top of the page, click “Online Registration” icon or the “Submit an application electronically” hyperlink which will take you to an instruction page
4. Please read carefully all instructions. When finished click the “Begin the Application Process” icon
5. Check the boxes indicating that you are a citizen, will be at least 18 years of age on or before election day and that you have a valid driver’s license or non-driver’s ID issued by the State of Alabama
6. When finished please click “Begin Voter Registration Application”
7. Fill in all information in the spaces provided
8. Lastly, submit your application for review



REGISTERING THROUGH ELECTRONIC VOTER REGISTRATION APP

In the App store on your device, enter “voteforallabama” – open and install the free app and follow directions

1. Please read carefully all instructions before beginning
2. Scroll down to the bottom of the home page
3. Click on “Begin the Application Process”
4. Check the boxes indicating that you are a citizen, will be at least 18 years of age on or before election day and that you have a valid driver’s license or non-driver’s ID issued by the State of Alabama
5. Click on “Begin Voter Registration Application”
6. Complete Identity Information
7. Click “Continue” for next page
8. Fill in each box with your information
9. Submit your application

ENTERING MAILING ADDRESS IN POWER PROFILE FOR DEPLOYED SERVICE MEMBERS

Overseas military addresses must contain the APO or FPO designation along with a two-character “state” abbreviation of AE, AP, or AA and the ZIP Code or ZIP + 4 Code.

Examples:

APO AE 09001-5275

FPO AP 96606-2783

APO AA 34035-4198

- AE is used for armed forces in Europe, the Middle East, Africa, and Canada
- AP is for the Pacific
- AA is the Americas excluding Canada

Domestic Locations

Use only the approved city name as listed in the City State file, along with the two-character state abbreviation and the ZIP Code or Zip + 4 Code.

- **Guide Note:** In simple terms, one should not put the country or base in the address when sending mail to deployed service members or service members assigned overseas.

Correct Example:

- Line 1 ----- A1C John Doe
- Line 2----- 317 Provisional Squadron
- City ----- APO N.Y. 03342 ----- Zip

Incorrect Example:

A1C John Doe
317 Provisional Squadron
Boondocks Air Base
Kuwait
APO N.Y. 03342

The U.S. Postal Service system has automated sorting machines that read the address and determine whether the mail piece will go through military postal channels, regular USPS or international postal channels. For example, by **writing Kuwait or Iraq on a letter or package will cause it to be routed through civilian mail channels rather than military ones.** When that happens, the mail can be delayed significantly. This is attributable to the sorting machine’s inability to discern whether or not the letter is intended to reach an Army or Fleet Post Office address.

- **Guide Note:** you MUST use the APO/FPO addressing system correctly in order to send mail overseas at domestic postage rates.

DUPLICATE RECORDS

- There should only be one Primary Record (Active, Inactive, R-Death, R-Criminal, Etc.) for an individual
- All other records for that individual are to be marked R-Duplicate. (These are secondary records)
- All records for that individual are to be linked.
- All other records for that individual should be in the county of the Primary Record.

If these records are not R-Duplicate and are not Linked:

- 1) They will continue to pop up in possible duplicates
- 2) Chances are great that a duplicate record could be transferred and made active instead of the current active, inactive, etc. record.

ON-LINE TRANSFERS OF INCORRECT VOTERS

When a voter is transferred by mistake to another county and assigned another record,

The county who made the error should:

- Create their own correct record for the new registrant, get a new ID#, and save
- While the record that was pulled erroneously is still in your county:
 - 1) Make ALL corrections back to their original (info at time of error) via activity tab
 - 2) Add brief note about error under notes tab
 - 3) Mark record S-Street File Issue and close
 - 4) Notify county that it was transferred from in order for them to transfer registrant back in their county
 - 5) That county will need to auto fill, will need to be SURE to change date of registration back to original date, print an information card, and save record

When ALL registrars abide by the same method there will no longer be confusion as to what was or was not changed.

ELECTION DAY PROCEDURES

Regular Ballot Voted When:

- Name appears on official poll list and has proper ID or can be positively identified by two poll workers
- If an inactive voter on the list updates their information at the polls, and continues to reside within the same precinct
- If a voter shows up at a polling location but his name was mistakenly left off the poll list, you can authorize the poll worker over the phone to let the voter cast a regular ballot

If this situation occurs the poll worker must have the voter complete an update form, and check the Verification box. The poll worker must also fill out the back section that denotes who authorized the person to cast a ballot. **Be SURE to check the verifications when crediting voters.** The update form is the official record that the person voted. You may encourage the poll worker to record the voter's name on a separate sheet of paper and include this with the poll list for that polling location.

Provisional Ballot Voted When:

- Voter is not on official poll list because they moved within the county but did not update before the 14 day cut-off.
- Voter has no authorized photo ID and cannot be positively identified by two election officials.
- Voter requested an absentee ballot (ABS) but did not use it.
- Voter challenges decision to not let them vote a regular ballot.
- An inspector challenges a voter.
- The registration status of the person attempting to vote cannot be determined.
- A federal or state court order extends the time for voting.
- Anyone can vote a provisional ballot. The Board of Registrars determines whether or not it will count.
- The voter objects to the party listed for the runoff.

Provisional Ballots:

- After an election, the Board of Registrars of each county shall keep the official election poll list indicating who actually voted in the election until after a decision has been made on all provisional ballots by the registrars of the county at which time they are returned to the probate judge or municipal clerk.
- The list of registered voters is kept by the Board of Registrars until it is superseded by the next election
- The Board of Registrars shall record each voter's party preference when recording voter history.

Deceased Voters:

If a deceased person is identified on a poll list by a family member or close neighbor, this person may provide a copy of a Death Certificate or fill out an NVRA-24 form indicating the person is deceased, provide pertinent information, sign the form and indicate their relationship to the voter. This will authorize the BOR to remove the person's record from any future voting lists after investigating and confirming that the voter is deceased. *(See appendix for NVRA-24 Form – Report of Voter's Change of residence or Death)*

POST ELECTION ACTIVITIES

Pursuant to Alabama Code (17-10-2), the Sheriff is to deliver the PB-4 Envelopes to the BOR prior to noon the day after the election.

Week One

1. Ensure all electronic poll book files have been imported. *(if in use in your county)*
2. Post all voting credits:
 - Post voter credit from poll lists from each precinct by **scanning barcodes**. Go to MODULE>ELECTIONS>POST VOTING CREDIT. Choose election, then choose “Scan Barcodes” and scan.
 - Post voter credit **manually** from “Verification” forms that we verified on back of the form that the registrant should vote a regular ballot. Should be just a few of these. Open registrant’s record; go to “Voting History” tab; click “Insert” on lower right side; add information; save.
3. Review, process all polling place provisional ballots and mark if counted or not (begin this process the day after election).
 - Update voter information from provisional update forms as each one is processed (instead of after making determinations).
 - Open each registrant’s record, click on Provisional on the toolbar, choose the correct election, click Insert on the toolbar, and then mark the status and reason.
 - Send letter to ‘challenged’ voters so they can respond to challenge. *If this situation occurs contact the Secretary of State Office for wording of letter.*
 - For counted or not counted provisional ballot determination statements/ reasons use the ES&S generated list:

Provisional Ballot Status Reasons generated by ES&S

- | | |
|--|---|
| • Absentee Ballot not returned (ABSB) | • No witness (NOW) |
| • Ballot not mailed or hand-delivered (DELV) | • No/missing identification (NOID) |
| • Challenge of voter upheld (06) | • Not reg. at time of election (NRTE) |
| • Check with local registrars’ office (07) | • Not registered in County (01) |
| • Check with local registrars’ office (08) | • Not registered in State (NOTR) |
| • Disqualifying felony conviction (FELY) | • Refutes reg. (03) |
| • I.D. (04) | • Registered in other county (RGOC) |
| • Insufficient documentation (DOCU) | • Status (02) |
| • Mentally incompetent in court (MENT) | • Updated to correct precinct (UPDT) |
| • Missing ID provided (ID02) | • Voted by absentee (05) |
| • Mistakenly left off list (RGDT) | • Voted in wrong district (WDIS) |
| • No signature on provisional ballot (SIGN) | • Voted in wrong precinct (WPCT) |
| • No signatures on roster (NSOR) | • Voted more than 1 provisional ballot (V2PB) |

4. Create a list of names from Power Profile of Polling Place /Absentee Provisional Ballots:
 - Go to Module, Elections, View Provisional Ballots
 - Double click on the election
 - Click search from Secondary Toolbar
 - Click “print preview” then print copy
 - Compare to PB3s. Double check that all have been entered correctly

5. After 4:30 pm on the Friday after the election, review absentee provisional ballots as well as any regular provisional ballots done because of lack of proper ID.
6. DO NOT GO THROUGH “UPDATE VOTING HISTORY” until you are absolutely sure all methods of posting voter credit have been completed: barcode scanning, entering provisional ballots, entering absentee provisional ballots and manual posting from backs of Verification/Update forms .(Needs to be done before canvassing day so as to resolve any conflicts in report given).
7. Go to: MODULE>ELECTIONS>UPDATE VOTING HISTORY. Choose election, and click “Submit” on secondary toolbar. This may take a while, depending on voter turnout. Click on “Jobs” to check status; when 100% complete, go to Print List and check for a “Voting Credits Conflicts Report”. All conflicts must be resolved so that only one method of voting shows a “Y” (yes). Run ‘Update Voting History’ multiple times until all conflicts are resolved.
8. To view final list of all who voted, go to Reports>Elections>Final Voting Turnout Report. Click on election and hit submit. Go to Jobs. When 100%, go to print list to view roster.
9. Return poll lists, binders, and extra materials to Probate Office after final report is run.
10. Write letters to any registrants that Inspector challenges to inform if vote counted or not.
11. Update forms that are turned in, but are not transfers from other counties. This can be done (as time permits) before canvassing. They must be scanned and attached to card-stock before or after entering. All voter registration forms (VRF’s) turned in after the cut-off date should be done following canvassing due to transfers.

Week Two

By Noon on the 7th day after the election, the Board of Registrars submit provisional ballot findings to the Judge of Probate. Turn in PB3s and PB4s as well as a copy of final report. *(Some registrars meet with Canvassing Board to give final results.)*

1. After canvassing, begin entering all VRFs sent in after cut-off.

Election Day and Post-Election Day

The Board of Registrars has specific duties in relation to Election Day office coverage and activity, and also to Post-Election Day activity. These include office coverage during polling hours, along with phone availability to poll workers, posting voting credits, and the receipt and processing of provisional ballots after the election. ALL Registrars should work in the office on Election Day. They should work the month leading up to and the month after an election also. ALL Registrars should be available to work their assigned days due to the excess work load and responsibilities at these times. Vacations and appointments should be scheduled accordingly.

Updated Version of Moral Turpitude Crimes

Effective August 1, 2017 per Act #2017-378

See appendix for the updated list of charge codes issued by the Administrative Office of Courts pursuant to Act# 2017-378.

**Section cited as Felony Voter Disqualification Act
Codified as Code of Alabama (1975), section 17-3-30.1**

- A person is disqualified to vote by reason of conviction of a felony involving moral turpitude.
- Except when Board of Pardons and Paroles notifies the voter of their disqualification, the Board of Registrars shall notify voter by certified mail sent to the voter's last known address.
- The Board of Pardons and Paroles shall provide signed documentation to County Board of Registrars to indicate those persons under probation or parole supervision with the board who have been convicted of a disqualifying criminal offense and who have been counseled regarding voter disqualification and the restoration of civil and political rights.
- Upon receipt of the documentation, signed by the disqualified voter, the County Board of Registrars shall be exempt from providing notice by certified mail.
- The Clerks of the Circuit and District Courts of Alabama shall furnish to the Board of Registrars of each county, once each month, a list of all residents of the county who have been convicted of any offense designated pursuant to Section 17-3-30.1 as a felony involving moral turpitude.

CRIMES INVOLVING MORAL TURPITUDE INCLUDE:

**Listed Under the Felony Voter Disqualification Act Codified as Code of Alabama (1975), section 17-3-30.1
Effective August 1, 2017 per Act #2017-378**

- Murder – Section 13A-5-40 (A) 1-19
- Murder (Non-Capital, Reckless, Felony Murder, etc.) – Section 13A-6-2
- Manslaughter – Section 13A-6-3 Exceptions: 13A-6-20 (A) (5) and 13A-6-21
- Assault 1st Degree – Section 13A-6-20
- Assault 2nd Degree – Section 13A-6-21
- Kidnapping 1st Degree – Section 13A-6-43
- Kidnapping 2nd Degree – Section 13A-6-44
- Rape 1st Degree – Section 13A-6-61
- Rape 2nd Degree – Section 13A-6-62
- Sodomy 1st Degree – Section 13A-6-63
- Sodomy 2nd Degree – Section 13A-6-64
- Sexual Torture – Section 13A-6-65.1
- Sexual Abuse 1st Degree – Section 13A-6-66
- Sexual Abuse 2nd Degree – Section 13A-6-67
- Sexual Abuse of a child less than 12 years old – Section 13A-6-69.1
- Enticing a child to enter a vehicle, house, etc. for immoral purposes – Section 13A-6-69
- Facilitating solicitation of unlawful sexual conduct with a child – Section 13A-6-121
- Electronic solicitation of a child – Section 13A-6-122
- Facilitating the on-line solicitation of a child – Section 13A-6-123
- Traveling to meet a child for an unlawful sex act – Section 13A-6-124
- Facilitating the travel of a child for an unlawful sex act – Section 13A-6-125
- Human Trafficking 1st Degree – Section 13A-6-152
- Human Trafficking 2nd Degree – Section 13A-6-153
- Terrorism – Section 13A-10-152
- Soliciting or providing support for an act of terrorism – Section 13A-10-153
- Hindering prosecution of terrorism – Section 13A-10-154
- Endangering the water supply – Section 13A-10-171
- Possession, manufacture, transport, or distribution of a destructive device or bacteriological weapon, or biological weapon – Section 13A-10-193
- Selling, furnishing, giving away, delivering, or distribution of a destructive device, a bacteriological weapon, or biological weapon to a person who is less than 21 years of age – Section 13A-10-194
- Possession, manufacture, transport, or distribution of a detonator, explosive, poison, or hoax device – Section 13A-10-195
- Possession or distribution of a hoax device represented as a destructive device or weapon – Section 13A-10-196 (c)
- Attempt to commit an explosives or destructive device or bacteriological or biological weapons crime – Section 13A-10-197
- Conspiracy to commit an explosives or destructive device or bacteriological or biological weapons crime – Section 13A-10-198

- Hindrance or obstruction during detection, disarming, or destruction of a destructive device or weapon – Section 13A-10-199
- Possession or distribution of a destructive device or weapon intended to cause injury or destruction – Section 13A-10-200
- Treason – Section 13A-11-2
- Dissemination or public display of obscene matter containing visual depiction or persons under 17 years of age involved in obscene acts – Section 13A-12-191
- Possession and possession with intent to disseminate obscene matter containing visual depiction of persons under 17 years of age involved in obscene acts – Section 13A-12-192
- Parents or guardians permitting children to engage in production of obscene matter – Section 13A-12-196
- Production of obscene matter containing visual depiction of persons under 17 years of age involved in obscene acts – Section 13A-12-197
- Distribution, possession with intent to distribute, production of obscene material, or offer or agreement to distribute or produce – Section 13A-12-200.2
- Trafficking in cannabis, cocaine, or other illegal drugs or trafficking in amphetamine and methamphetamine – Section 13A-12-231
- Bigamy – Section 13A-13-1
- Incest – Section 13A-13-3
- Torture or other willful maltreatment of a child under the age of 18 – Section 26-15-3
- Aggravated child abuse – Section 26-15-3.1
- Prohibited acts in the offer, sale, or purchase of securities – Section 8-6-17
- Burglary 1st Degree – Section 13A-7-5
- Burglary 2nd Degree – 13A-7-6
- Theft of Property 1st Degree – Section 13A-8-3
- Theft of Property 2nd Degree – Section 13A-8-4
- Theft of Lost Property 1st Degree – Section 13A-8-7
- Theft of Lost Property 2nd Degree – Section 13A-8-8
- Theft of trademarks or trade secrets – Section 13A-8-10.4
- Robbery 1st Degree – Section 13A-8-41
- Robbery 2nd Degree – Section 13A-8-42
- Robbery 3rd Degree – Section 13A-8-43
- Forgery 1st Degree – Section 13A-9-2
- Forgery 2nd Degree – Section 13A-9-3
- Any crime as defined by the laws of the United States or by the laws of another state, territory, country, or other jurisdiction, which, if committed in this state, would constitute one of the offenses listed in this subsection.

WEEKLY FELON CHECK LIST SENT TO BOR FROM COUNTY CIRCUIT CLERK'S OFFICE

BOR are notified through AOC with a new list on Power Profile each Monday Morning

- 1) The people on this list may be registered /active voters or they may have been purged or removed due to transfer/moved, etc. If they are active or inactive, registrars must follow steps to determine whether they need to be removed from the poll list due to criminal conviction of Moral Turpitude.

If they have already been removed it is helpful to post the conviction(s), case #, date of conviction(s), 4-letter code(s), the county of conviction, and what the code stands for in the 'notes' section.

- 2) It is not a registration form, therefore, registrars do not update the voter's address with the address the courts have listed. Remember, there may be several convictions that the courts have listed with various addresses and you do not know what their current address is of those listed. Registrars need to send the letter to the last known address that the voter has updated with the Board of Registrars, not the address the clerk of court provides.
- 3) Begin by searching for and finding the voter in the electronic files.
- 4) Open file.
- 5) The file when "saved" should bring up the voter's driver's or ID information.
- 6) This will also list Criminal Convictions with a Possible conviction or Moral Turpitude
- 7) If a conviction is determined to be of Moral Turpitude, the BOR will send a letter by certified mail to the voter stating that they will not remain on the voter poll list after 30 days of notification unless they provide a letter of pardon.
- 8) If the convictions are determined NOT to be of Moral Turpitude, the Board of Registrars will mark the voter's record as "satisfied" and the voter will remain an active/inactive voter. This **MUST** be done or the voter will continue to be listed every week until the convictions are satisfied.
 - Do NOT "satisfy" the information until the "Notes" have been typed and annotated in the voter's electronic file or scanned into the file on a printed list of the voter's felony charges (both those of moral turpitude and those that are not of moral turpitude). Listing ALL charges assists registrars in the future to understand what the voter was convicted of and why they were or were not removed from the voter rolls. This way any registrar will clearly understand steps taken if they were to register in another county or after current registrars in the present county are gone. This is very important because the voter's convictions and the court cases and dates of conviction will all disappear once marked "satisfied."
- 9) See Criminal Conviction Procedure on page 24 for steps in completing a criminal conviction file.

CRIMINAL CONVICTION PROCEDURE

(Recommendations for Uniform Practices)

Criminal Conviction Files Should Include:

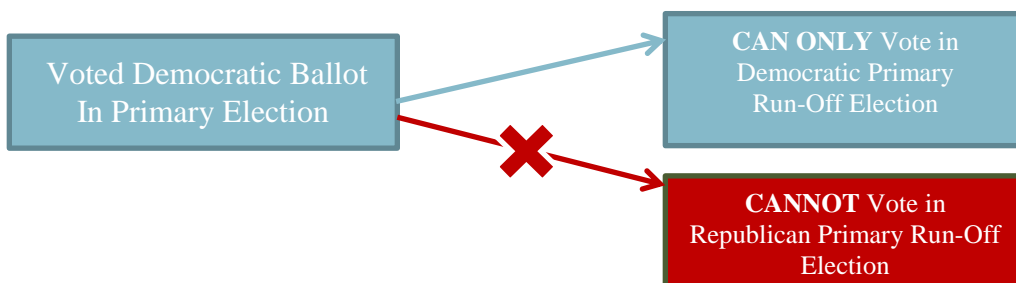
- Cover Sheet (*optional form in Appendix*)
- Type conviction info into notes and include:
 1. Case #
 2. Conviction date
 3. Code
 4. (What code means)
 5. How many counts
 6. County/District of conviction
 7. Whether conviction was of moral turpitude
 8. Date certified or regular letter was sent out
- Copy and Paste notes into Word document and Print (Rap Sheet) (*suggested step*)
- Type Letter (*sample templates of letters in appendix*)
- If electronic file – print a specialized receipt (application)
- Type envelope or print address label for envelope
- Print a bar code for EACH document (*suggested step*)
 1. Cover Sheet
 2. List of Criminal Conviction Notes (Rap Sheet)
 3. Letter
 4. Application
 5. Envelope
- Scan EACH document (be sure to choose the attachment type (ie. notes, court document; correspondence, application, update, etc.)
- Send a certified / returned receipt letter the 1st time notifying by mail of ineligibility
- Send a letter via regular mail each time thereafter
- Document each correspondence in ‘Notes’
- If the voter was previously registered and is being removed for a disqualifying felony for the first time, you can look in “activity” and get the date of original registration and each time an updated application was sent in. You then, pull those files and scan them into their record. When scanning these records, make sure that you go back and change the date scanned to match the date of that original record. Add these records to the criminal conviction file.
- Should the person submit a letter of pardon or certificate of eligibility at a later date, they should fill out a new voter application. These records, after being entered and scanned, should go on the top of the criminal conviction file for this voter. “Satisfy” their conviction in the computer that matches the pardon. Now the voter’s entire record should go into your file for that year’s new registrations.

Cross-Over Voting Rules

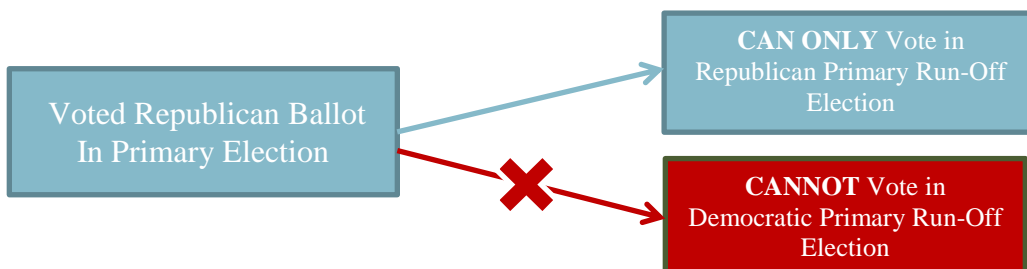
Effective August 1, 2017 per Act #2017-378

According to **Act #2017-340, Section 2 (a)**, *if an elector votes in a primary election, he or she may vote in a subsequent primary runoff election only if he or she voted in the primary election of the same political party for which the runoff election is being held. For those persons who did not vote in a Primary Election, they may choose either party's ballot in a Primary Run-Off Election.*

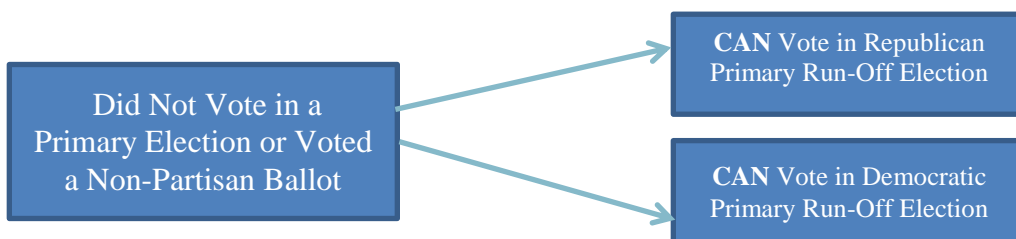
Explanation: If you vote in the Democratic Primary Election, you may only vote in the Democratic Run-off Election. You may not cross over and vote in the Republican Run-Off Election.



Explanation: If you vote in the Republican Primary Election, you may only vote in the Republican Run-Off Election. You may not cross over and vote in the Democratic Run-Off Election.



Explanation: If you did not vote in a Primary Election, you may choose either a Democratic or Republican ballot in a Run-Off Election.



The Cross-Over Rule starts over with each election cycle and only applies to Primary and Primary Run-Off Elections. It does not apply to a General Election.

WORK DAY

The law does not specify the number of hours a board member must work, but the registrars should take into consideration the hours the courthouse is open for business and the hours that county employees must work when claiming compensation for a “working day” (A.G. No. 2004-112). The Code of Alabama (1975), section 17-3-8 sets the maximum number of days an individual registrar can work. In January registrars may work as many days as needed as this is considered a ‘purge’ month. In the other months of the year, registrars may only work based on the county allowance shown in this table.

Meeting Days Allowed in Each County

Autauga	187	Houston	216
Baldwin	5 days/week	Jackson	207
Barbour	168	Jefferson	5 days/week
Bibb	187	Lamar	140
Blount	168	Lauderdale	199
Bullock	216	Lawrence	140
Butler	168	Lee*	168
Calhoun	5 days/week	Limestone	167
Chambers	120	Lowndes	120
Cherokee	140	Macon	216
Chilton	5 days/week	Madison	5 days/week
Choctaw	199	Marengo	168
Clarke	140	Marion	216
Clay	120	Marshall	216
Cleburne	120	Mobile	5 days/week
Coffee	199	Monroe	199
Colbert	199	Montgomery	5 days/week
Conecuh	140	Morgan	5 days/week
Coosa	120	Perry	120
Covington	188	Pickens	168
Crenshaw	140	Pike*	168
Cullman	199	Randolph	168
Dale	216	Russell	177
Dallas	120	Shelby	167
DeKalb	207	St. Clair	5 days/week
Elmore	187	Sumter	120
Escambia	120	Talladega**	220
Etowah	207	Tallapoosa	220
Fayette	168	Tuscaloosa	216
Franklin	216	Walker	200
Geneva	120	Washington	140
Greene	168	Wilcox	120
Hale	140	Winston	168
Henry	140		

* Except in the Counties of Lee and Pike each board of registrars may meet up to an additional 30 session days each fiscal year, at the discretion of the chair of the county commission. ** Except Talladega County may meet up to an additional 30 session days each fiscal year, at the discretion of the chair of the county commission.

The number of working days under law applies to individual registrars and not to the number of days the office can be left open. It is important for boards to allow members to coordinate their work schedules so that the office is open on a full-time basis, when the courthouse is open.

Board members shall ensure that the office is open during polling hours on election days. Polling hours are from 7:00 a.m. to 7:00 p.m. statewide. Those counties bordering the eastern time-zone should check with their county commission offices to confirm polling hours.

COMPENSATION FOR TRAVEL:

Page 223-224 of the Alabama Election Handbook 17th Edition - Travel for training & Registrar Orientation meetings or when traveling on official business should be reported for reimbursement. Official Business is defined as authorized work relating to the Registrar's Office. Prior approval may be required.

Travel Reimbursement Form (see appendix). This claim should be filed with your county commission office. The county commission pays your travel claim and then is reimbursed by the State Comptroller upon submission of the proper documentation. Comptroller Form (see appendix).

There is space for recording the number of miles you traveled if you used your personal vehicle in the course of travel for official business. Leave this space blank if you did not use your own personal vehicle. When claiming mileage, the amount should be calculated at the current state or county rate – whichever one is greater. Your "Base" should be considered leaving from your office, even if you leave from home.

The per diem amount you can claim is based on the number of hours you were away from your office working on official business.

Less than 6 hours – no per diem
6 hours to 12 hours - \$11.25
More than 12 hours but not overnight - \$30.00
Overnight - \$75.00

You qualify for overnight per diem only if you stayed overnight and your travel one-way is greater than 100 miles.

If you qualify for the overnight per diem, you receive \$75.00 for the day you traveled to your destination (for example, Montgomery) and then \$75.00 for the day you travel back to your office. Therefore, for an overnight stay involving one night, your per diem amount is \$150.00

When filing for reimbursement and/or mileage compensation, registrars are also entitled to claim the work day on their attendance.

HOLIDAYS

A registrar is entitled to his/her pay if a meeting day falls on a legal state holiday and the courthouse is closed for that holiday.

(Days recognized by BOTH the state and the county as holidays are PAID holidays.)

ATTORNEY GENERAL OPINIONS

[Official Attorney General Opinions:](#)

(2004-171)—Board of Registrars & Supervisor of Registration: [2004-171](#)

Question—

What authority, if any, does the Secretary of State have over the county boards of registrars?

Official Attorney General Conclusion—

The Supervisor of Voter Registration, acting under the direction of the Secretary of State, has the authority to train, counsel, advise, and evaluate registrars in the performance of his or her lawful duties and acts as the liaison between the Secretary of State and the county boards of registrars. The Secretary of State, under section 17-4-151 of the Code of Alabama, has the authority to remove a member of the board of registrars for cause. Section 17-4-136 authorizes the Secretary of State to promulgate rules for the receipt and administration of applications for registration.

(2004-124)—Board of Registrars & Probate Judge: [2004-124](#)

Question—

Does the Code of Alabama grant any supervisory authority over the county board of registrars to the probate judge? If so, what are the limits of this authority?

Official Attorney General Conclusion—

The probate judge has no supervisory authority over the county board of registrars.

(2004-112)—Board of Registrars & Hours of Work: [2004-112](#)

Questions—

How many hours per day must a member of the board of registrars work to collect the per diem provided in section 17-4-153 of the Code of Alabama?

Is the conclusion presented in the opinion to Honorable David Neal, Attorney, dated April 7, 1989, A.G. No. 89-00234, still valid with regard to what constitutes a "working day" for the purposes of section 17-4-156 of the Code of Alabama, or has some change in the law affected this interpretation?

Official Attorney General Conclusion—

A registrar must work a reasonable amount of time and a sufficient number of hours to justify the compensation claimed under sections 17-4-153 and 17-4-156 of the Code of Alabama.

(2011-044)—Board of Registrars & Compensation, Holidays, & Weather: [2011-044](#)

Question—

Are the members of the Morgan County Board of Registrars eligible to receive compensation for January 10 and January 11, 2011?

Official Attorney General Conclusion—

Section 17-3-5 of the Code of Alabama authorizes registrars to be paid for each day's attendance upon business of the board and for state holidays that coincide with work days. Members of the Morgan County Board of Registrars are ineligible to receive compensation for days in which their office was closed because of inclement weather.

(2006-042)—BOR/Citizenship

[2006-042](#)

Question—

Question 1: If a potential voter marks "no" to the question of United States citizenship or fails to answer the question of his or her citizenship at the start of the voter registration application, but then signs the oath at the bottom of the voter application that says he or she is a citizen of the United States, can that potential voter be legally registered to vote?

Question 2: May the Board of Registrars ask an applicant for voter registration to complete his or her application if it is incomplete or contradictory that the applicant is not a United States citizen?

Official Attorney General Conclusion—

Question 1: United States citizenship is a fundamental prerequisite to voting in state and federal elections. As such, it must be demonstrated to the reasonable satisfaction of the Board of Registrars. An error or omission that is material is grounds for denying an application. An application form containing a material error or omission regarding citizenship fails to demonstrate that the applicant is qualified to vote and, therefore, should be rejected.

Question 2: Under federal law, each Board of Registrars is bound to treat every individual the same. An individual who gives incomplete or contradictory responses as to citizenship has not demonstrated that he or she is qualified to vote and, thus, may not be registered. The Board should reject such an application, giving notice to the applicant, stating the reason.

The applicant may appeal the decision; or, if the error or omission was an oversight by the applicant, the applicant may complete a new application.

(2009-002)—BOR/Citizenship

[2009-002](#)

Question—

Question 1: May the Board of Registrars ("Board ") examine an applicant and ask for proof of citizenship even if a completed voter registration form is submitted by the applicant?

Question 2: May the Board of Registrars use the information provided pursuant to the "ID requested" and place of birth provisions of the Alabama voter registration forms as a basis for requiring proof of citizenship?

Question 3: If the response to Questions 1 or 2 is that the Board of Registrars is permitted to ask for additional proof of citizenship, may the Board refuse registration if an applicant fails to provide the additional proof of citizenship requested by the Board?

Question 4: May the Board of Registrars require the name and address of an interpreter when the applicant is able to sign his or her name?

Official Attorney General Conclusion—

Question 1 & 2: The Board of Registrars may examine each applicant and ask for further proof of citizenship, even if a completed voter registration form is submitted by the applicant.

Question 3: The Board of Registrars may refuse registration if an applicant fails to provide the additional proof of citizenship requested by the Board. If the Board refuses registration, it must follow the notification and appeals procedure outlined in sections 17-3-54 and 17-3-55 of the Code.

Question 4: The Board of Registrars shall require the name, address, and telephone number of an interpreter/translator who assists an applicant in completing the voter registration form.

(2005-106)—BOR/Probate Judge—Mental Health [2005-106](#)

Question—

Question 1: Under section 17-4-131 of the Code of Alabama, is the term "mentally incompetent" synonymous to "mentally incapacitated" as that term is defined in the Alabama Uniform Guardianship and Protective Proceedings Act?

Question 2: Under section 17-4-131 of the Code of Alabama, is the judge of probate required to provide a list of all adults over the age of 18, who have been declared mentally incapacitated under the Alabama Uniform Guardianship and Protective Proceedings Act, to the board of registrars?

Official Attorney General Conclusion—

Question 1 & 2: A person who is determined to be an "incapacitated person" does not automatically lose the right to vote. Only persons who have been declared mentally incompetent to vote are disqualified from voting and must therefore be reported to the board of registrars in accordance with section 17-4-131 of the Code.

(2005—124)—BOR/Voter Registration Public Records [2005-124](#)

Question—

Question 1: What information from the county's voter registration list is the board of registrars authorized to disseminate to persons or entities other than political parties?

Question 2: Has any change in state or federal law affected the decision reached in Attorney General's Opinion 91-00252, which states that political parties are authorized to obtain the social security numbers of registered voters?

Question 3: May a person who is 17 years of age as of the last day to register to vote for an election, but who will turn 18 on or before election day, register to vote for said election?

Question 4: If the portion of the voter identification card that contains the name of the voter has been separated or detached from the portion that contains the address of the voter, does the voter identification card constitute an acceptable form of voter identification?

Question 5: To constitute an acceptable form of voter identification, must the voter identification card, which includes the name and address of the voter, be issued during the same election cycle in which the registered voter is presenting himself or herself to vote?

Question 6: To constitute an acceptable form of voter identification, must the address of the voter as shown on the voter identification card match the address of the voter as shown on the list of registered voters at the polling place?

Question 7: If the answer to Question 5 is in the affirmative, what time period is referenced in the phrase "election cycle"?

Official Attorney General Conclusion—

Question 1: The board of registrars may only provide the names and precincts of registered voters to persons or entities, unless the entity requesting the information is a political party. This limitation on access to voter information does not apply to public officials who need more information in order to effectively carry out their duties.

Question 2: Political parties are not authorized to obtain the social security numbers of registered voters that are in the possession of the boards of registrars or probate judges.

To the extent this opinion conflicts with A.G. No. 91-00252, that opinion is overruled.

Question 3: A person who is 17 years of age on the date that registration closes, but who will turn 18 years of age on or before election day, must be permitted to register to vote.

Question 4, 5, 6, & 7: A voter identification card is an acceptable form of identification for purposes of section 17-11 A-1 only if both the name and address of the voter are listed on the card. If the address portion has been detached, the voter identification card is no longer an acceptable form of identification.

A voter identification card is an acceptable form of identification for purposes of section 17-11A-1 only if it is the most recent voter identification card issued to that voter.

To qualify as an acceptable form of voter identification, the address listed on the voter identification card must match the address of the voter as shown on the list of registered voters at the polling place. If the address does not match, the voter may either present another form of acceptable identification or cast a provisional ballot in accordance with section 17-10A-2 of the Code of Alabama. Because the answer to Question 5 does not involve the definition of "election cycle," there is no need to address Question 7.

(2014-005) BOR/Education-Travel-Expenses

[2014-005](#)

Question—

Pursuant to section 17-3-5(a) of the Code of Alabama, when tending to official business of the board of registrars, including attendance at continuing education training meetings or seminars, are registrars to be reimbursed for: (1) mileage (if using a personal vehicle); (2) any full or partial per diem or meal allowance (as permitted state employees); and (3) other expenses, such as registration fees for conferences and other functions that involve continuing education on voter registration and elections?

Official Attorney General Conclusion—

Pursuant to section 17-3-5(a) of the Code, registrars are entitled to be reimbursed for expenses incurred as a result of attending to official business of the board of registrars. More particularly, when attending continuing education training meetings or seminars, registrars are entitled to be reimbursed for mileage and per diem as authorized for state employees

pursuant to sections 36-7-1 through 36-7-25 of the Code, and other expenses incurred with respect to said conferences; i.e., registration fees for conferences and other functions that involve continuing education on voter registration and elections.

(2007-092) BOR/Travel-Expenses-Days Worked

[2007-092](#)

Question—

May the members of the Baldwin County Board of Registrars ("Board") consider the courthouse nearest his or her home as home base for travel and expense purposes, or must the board members name Bay Minette as home base strictly because it is the county seat?

Official Attorney General Conclusion—

The Baldwin County Board of Registrars may determine which of the three courthouses in the county is the home base for each registrar.

(2010-033) BOR/Travel-Expenses-Overruled 2007-092 to extent of conflict

[2010-033](#)

Question—

Are members of the Board of Registrars in Baldwin County authorized to receive travel expenses for travel to the courthouse in Bay Minette?

Official Attorney General Conclusion—

The registrars in Baldwin County are not entitled to travel expenses for travel to the courthouse in Bay Minette, which is the home base or usual place of business for the board of registrars. Given that there has been some confusion and questions as to the proper reimbursements to be made to the registrars, this opinion should be applied prospectively.

(2010-026) BOR/Compensation/Expenses/Holidays/Working Days

[2010-026](#)

Question—

Questions 1 & 2: Are the members of the Baldwin County Board of Registrars entitled to compensation for five working days each week, and may the board members receive compensation for working on a Saturday? Under what circumstances are members of the board of registrars entitled to receive compensation for holidays?

Question 3: Under what circumstances are registrars entitled to compensation and travel expenses for attending special registration sessions?

Question 4: Are registrars entitled to compensation and travel expenses for attending a meeting of the State Voter Registration Advisory Board?

Question 5: Are registrars required to provide any documentation to the county commission or the State Comptroller to receive compensation and travel expenses from the county and the state?

Official Attorney General Conclusion—

Questions 1 & 2: Members of the Baldwin County Board of Registrars are entitled to compensation for five working days each week for days actually worked, but those days must be worked during normal courthouse hours Monday

through Friday, except for special registration sessions held away from the courthouse. Members of the board are entitled to holiday compensation if a legal holiday falls on one of the working days and the county closes the courthouse for that holiday.

Question 3: Only special registration sessions that are approved by a majority of the board, are open to the public, and are properly advertised qualify as special registration sessions in which a board member may receive compensation and travel expenses.

Question 4: The members of the Baldwin County Board of Registrars are entitled to compensation for a working day and travel reimbursement under section 17-3-5 of the Code for attending and making a presentation at a meeting of the State Voter Registration Advisory Board when the registrars have a matter pending before the Advisory Board.

Question 5: Registrars must provide documentation as requested to the county commission and/or to the State Comptroller to receive compensation and travel expenses from the county and the state. Given that there has been some confusion and questions as to the proper compensation and reimbursements to be made to the registrars, this opinion should be applied prospectively.

(2011-089) BOR/Per Diem [2011-089](#)

Question—

Should the State of Alabama reimburse the county commission per diem paid to a member of the board of registrars in the same amount allowed for state employees?

Official Attorney General Conclusion—

Registrars are entitled to travel reimbursement at the state per diem rate.

APPENDIX

Moral Turpitude Offenses (Charge Codes):

- Updated list of charge codes issued by Administrative Office of Courts Pursuant to Act# 2017-378

Forms:

- Attendance Report
- Travel Reimbursement Claim (to County Commission)
Mileage rate subject to change – check with county commission or state
- Reimbursement Travel Voucher (to State Comptroller)
***ONLY** after Registrars have been reimbursed by the County Commission, can the commission submit the Comptroller form for state reimbursement. Copies of the reimbursement claims of each registrar, any receipts and documentation that the county paid the claim must accompany the comptroller form.*
- NVRA-24 (Third Party Report of Voter's Change of Residence or Death)
- Board of Registrars College Day Visitation Form

Sample Letters:

- Removal Due to No Longer Resident County
- Incomplete Voter Application
- Final Notice for Registration
- Inactive Status Due to Incomplete Information
- Voter Registration – Incomplete Information Update Form
- Felony Conviction – Intent to Remove (Certified)
- Felony Conviction (Non-Certified)

These are provided as a way to help organize & streamline Criminal Conviction Information:

- Criminal Conviction Cover Sheet (*Optional*)
- Criminal Conviction Notes Page (*Optional*)

MORAL TURPITUDE OFFENSES Pursuant to Act 2017-378, Effective: August 1, 2017:
All Applicable Charge Codes are in bold and highlighted in yellow below:

Capital Murder:

13A-5-40(a): **CMUR**
13A-5-40(a)(1): **CM01**
13A-5-40(a)(2): **CM02**
13A-5-40(a)(3): **CM03**
13A-5-40(a)(4): **CM04**
13A-5-40(a)(5): **CM05**
13A-5-40(a)(6): **CM06**
13A-5-40(a)(7): **CM07**
13A-5-40(a)(8): **CM08**
13A-5-40(a)(9): **CM09**
13A-5-40(a)(10): **CM10**
13A-5-40(a)(11): **CM11**
13A-5-40(a)(12): **CM12**
13A-5-40(a)(13): **CM13**
13A-5-40(a)(14): **CM14**
13A-5-40(a)(15): **CM15**
13A-5-40(a)(16): **CM16**
13A-5-40(a)(17): **CM17**
13A-6-40(a)(18): **CM18**
13A-6-40(a)(19): **CM19**

Murder: (non-capital, reckless, felony murder, etc.):

13A-6-2: **HOMI, MURD; MRDI; MURR; FMUR**

Manslaughter:

13A-6-3: **MANS; MAN1; MAN2**

Assault 1st: 13A-6-20: **ASS1** (note: Act 2017-378 excludes subsection (a) (5) of 13A-6-20, which has its own CODE: *ASLI*).

Assault 2nd: 13A-6-21: **ASS2**

Kidnapping 1st: 13A-6-43: **KID1**

Kidnapping 2nd: 13A-6-44: **KID2**

Rape 1st: 13A-6-61: **RAP1**

Rape 2nd: 13A-6-62: **RAP2**

Sodomy 1st: 13A-6-63: **SOD1**

Sodomy 2nd: 13A-6-64: **SOD2**

Sexual Torture: 13A-6-65.1: **STSA**

Sexual Abuse 1st: 13A-6-66: **SXA1;**

Sexual Abuse 2nd: 13A-6-67: **SXA2**

Sexual Abuse of Child Less than 12: 13A-6-69.1: **SX12**

Enticing child to enter vehicle: 13A-6-69: **ECHI**

Facilitating solicitation of unlawful sexual conduct with child: 13A-6-121: **CSSC**

Electronic Solicitation of child: 13A-6-122: **ESOC**

Facilitating on-line solicitation of child: 13A-6-123: **FOLS**

Traveling to meet child for unlawful sex act: 13A-6-124: **TMCS**

Facilitating travel of child for unlawful sex act: 13A-6-125: FTCS
Human Trafficking 1st: 13A-6-152: HUT1
Human Trafficking 2nd: 13A-6-153: HUT2
Terrorism: 13A-10-152: TER1; TER2; TER3
Soliciting support for act of Terrorism: 13A-10-153: SLT1; SLT2
Hindering prosecution of Terrorism: 13A-10-154: HPT1; HPT2
Endangering Water Supply: 13A-10-171: WTER
Possession of Biological weapons: 13A-10-193: BAC1
Selling Biological weapons: 13A-10-194: BAC2
Possession of detonator, explosive or Hoax device: 13A-10-195: BAC3, BAC4
Possession of Hoax device as a destructive device: 13A-10-196: BAC5; BAC6.
Attempt to commit biological weapons crime: 13A-10-197: BACA; BACM; BAC1 A; BAC2 A; BAC3 A; BAC4 A; BAC5 A; BAC6 A.
Conspiracy to commit biological device: 13A-10-198: BACC
Hindrance/obstruction during disarming of destruction device: 13A-10-199: BAC7
Possession of destructive device intended to cause injury: 13A-10-200: BAC8
Treason: 13A-11-2: TREA
Dissemination of obscene visual depictions of persons under 17: 13A-12-191: MIOB
Possession of obscene visual depictions of person under 17: 13A-12-192: POBM; PMIO.
Parents permitting children to engage in production of obscene matter: 13A-12-196: MIPR
Production of obscene matter of persons under 17: 13A-12-197: POMA
Distribution of obscene material: 13A-12-200.2: PORN; PISM; PISP; PSMF; PISF; PISW.
Trafficking in illegal drugs: 13A-12-231: TRMA; TRAJ; TRAK; TRAG; TRAA; TRMF; TRAC; VDRY; TRAO; TROP; VDRU; TRAY; TRAT; TRAX; TRAP; TRAQ
Bigamy: 13A-13-1: BIGA
Incest: 13A-13-3: INCE
Torture of a child: 26-15-3: CHAB; CHAM; WABC
Aggravated Child Abuse: 26-15-3.1: ACHA
Securities - Prohibited acts: 8-6-17: SSUA; FSUA; OSUA; EGUA; FRT1; FRT2; FRT3; UNCC; UNNN
Burglary:
 13A-7-5: BUR1.
 13A-7-6: BUR2.
Theft of Property:
 13A-8-3: TFT1; TOD1; TOP1; TPC1
 13A-8-4: TET2; TFT2; TOD2; TOP2; TPC2; TP2D; TP2G
Theft of Lost Property:
 13A-8-7: TLP1
 13A-8-8: TLP2; TLT2
Theft of Trademarks: TTTS; VIDE
Robbery:
 13A-8-41: ROB1
 13A-8-42: ROB2
 13A-8-43: ROB3

Forgery:

13A-9-2: **FOR1**

13A-9-3: **FOR2; FR2D**

FORMS

COUNTY BOARD OF REGISTRARS
ATTENDANCE REPORT
MONTH/YEAR_____

Revised 04-12-2017

BOARD MEMBER'S NAME	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	TOTAL
TOTAL DAYS FOR MONTH																																

The above services were rendered in accordance with Section 17-3-5, Code of Alabama 1975, as amended.

We, a quorum of the Board of Registrars of the above county, do hereby certify that the above members actually worked and served on the Board of Registrars for the days indicated above.

Board Member's Signatures

Label days to be paid for each member as follows:

W – Regular Working Days (paid at \$80/day)
H – State Holidays and County Courthouse closed
P – January Voter Maintenance Days (paid at \$80/day)
A – Association Meeting/Training Workshop
*L – Legislative Committee Meeting

*I hereby certify that the travel and expense for the Legislative Committee day indicated on the attached travel claim was in the performance of my official duties and that I provided public testimony before a legislative body.

Signature of Registrar

Signature of Registrar

Signature of Registrar

County Commission
BOARD OF REGISTRARS
TRAVEL REIMBURSEMENT CLAIM

Name of Registrar

Home Address

City State Zip

Home Base/Official Co Courthouse

Month And Date	POINTS OF TRAVEL		Private Car Miles	Hour of Departure From Base		Hour of Return to Base		Amount Per Diem Claimed
	From City	To City		AM	PM	AM	PM	

Total Per Diem \$

Total Miles _____ @ \$.535 * per Mile \$

Total Amount Claimed \$

* Current State mileage rate or County rate, whichever is greater.

**Second signature required if Board member attended a Legislative Committee Meeting.

I hereby certify that the travel expenses indicated hereon are just, correct, and unpaid and that the above travel was performed in accordance with the State Code of Alabama and my duties as a member of the Board of Registrars.

Signature of Registrar

**I hereby certify that the travel and expense for the Legislative Committee day indicated on the attached travel claim was in the performance of my official duties and that I provided public testimony before a legislative body.

Signature of Registrar

I agree to accept the lesser amount claimed in lieu of the full per diem amount.

Signature of Registrar

_____ COUNTY COMMISSION

*****Reimbursement Travel Voucher for*****
Board of Registrars

Vendor Code - _____

County Name & Address
() Check if new address

For Month of _____, _____

Phone () _____

Total Travel expenses paid for the current month
(Copy of travel claim attached) RATE \$.535 * per mile
0101-053-____ / 1100-28
*(Current State rate or County rate if higher)

\$ _____

Per Diem

\$ _____

AMOUNT DUE COUNTY COMMISSION

\$ _____

I hereby certify that the amounts indicated above were paid by County Commission in accordance with applicable laws.

County Commission

Remit to :

State Comptroller's Office
Department of Finance
P O Box 302602
Montgomery, Al 36130-2602

Attn: Pam Harris, Suite 216

=====
FOR STATE COMPTROLLER'S USE ONLY
=====

DOCUMENT ID - PV 053 _053R__

INVOICE # REFERENCE - (travel) / (month & year)

Revised 03/09/2016



Report of Voter's Change of Residence or Death

FORM NVRA-24

FOR REGISTRARS USE ONLY

Purpose

This form is intended to provide notification to the Board of Registrars that a registered voter is no longer a resident of the precinct in which he or she is registered to vote due to the voter's change of residence or death (§17-4-6.1, Code of Alabama, 1975).

Who May Use this Form

This form is for use by a family member of the voter, the inspector of the voter's election precinct, or the Judge of Probate, Sheriff, or Clerk of the Circuit Court of the county in which the voter is registered to vote.

Instructions

Complete this form as thoroughly as possible. Requested information will be used to ensure that the Board of Registrars can identify the correct voter. Sign the form and then submit it to the Board of Registrars of the county in which the voter is registered.

Information about Voter

Reason for completing this form:				
<input type="checkbox"/> Voter has moved outside of precinct		<input type="checkbox"/> Death of Voter		
Last Name		First Name		Middle Name
				Suffix
Date of Birth	Date of Death (if deceased)	Gender	Last 4 Digits of SSN	Driver License or ID No.
		<input type="checkbox"/> Male <input type="checkbox"/> Female		
Voter's Address on Voter Registration Record		City	State	ZIP Code
Voter's Address (if voter has moved outside of precinct)		City	State	ZIP Code

Person Providing Information about Voter

☐ Family Member ☐ Inspector of Election Precinct ☐ Judge of Probate, Sheriff, or Clerk of Circuit Court

Full Name		
Address		
City	State	Zip Code
Relationship to Voter (if family member)		Title (if public official)
Signature		Date Signed

FOR USE BY INSPECTOR OF ELECTION PRECINCT, JUDGE OF PROBATE, SHERIFF OR CLERK OF THE CIRCUIT COURT - Please describe the source and nature of the information upon which you believe this voter is deceased or has become a nonresident of the precinct.

Board of Registrars College Day Visitation Form

The board of registrars in each county shall visit each college or university, whether public or private, having an enrollment of 500 or more, which is located therein, at least once during the school year for the purpose of registering voters, and shall remain there for one full working day, weekends and holidays excepted.

They shall give at least 12 days' notice of the time and place where they will attend to register applicants for registration, by bills posted at three or more public places and by advertisement once a week for three consecutive weeks in a campus newspaper, if there is one published on the campus. Each college or university receiving state funds that is affected by the provisions of this section shall provide space and accommodations for the board of registrars on their campus.

Each member of the board of registrars shall be entitled to receive their usual salary and per diem for attending the meetings of the board of registrars provided for in this section.

(Acts 1977, No. 769, p. 1327, §§1, 2, 3, 5; Code 1975, §17-4-49; §17-4-160; amended and renumbered by Act 2006-570, p. 1331, §7.)

Name(s) of Registrar(s):

(Print): _____ (Sign): _____

(Print): _____ (Sign): _____

(Print): _____ (Sign): _____

Name of County: _____

Name of College Visited: _____

Name of Contact Person at College Visited: _____

Phone Number of Contact Person: _____

Date of College Visitation: _____

Time of Arrival: _____ **Time of Departure:** _____

Number of Voter Registration Forms Issued: _____

Number of Voter Registration Forms Received: _____

Please complete form and return by mail, email, or fax to:

Alabama Secretary of State
Elections Division
P.O. Box 5616
Montgomery, AL 36103
Eugenia.Stone@sos.alabama.gov
FAX: 334-242-2444

SAMPLE LETTERS

Sample: Removal Due to No longer resident of County Letter

County's Board of Registrars Letterhead Here

Date

Street Address
City, State, Zip Code

Dear _____,

Our records indicate you no longer reside in _____ County and have in fact been a registered voter in _____ County on active status since _____. Therefore, you are considered a nonresident of _____ County and will need to vote in the county, district, precinct in which you reside (Ala. Code 17-3-9 (1995)).

If your primary residence address is incorrect, you must notify our office in writing within 10 days of receiving this letter.

Thank you for your attention to this matter.

Sincerely,

The _____ County Board of Registrars

Sample Letter – Incomplete Voter Application

County Board of Registrars Letterhead Here

Date

Dear _____,

Enclosed is a copy of your voter Registration Form dated _____ received in our office. Unfortunately, we are unable to process your voter registration at this time due to a lack of information on your registration form. For your convenience, we have enclosed a Mail-In Voter Registration Form for you to complete. After filling in all the numbered spaces on the Mail-In form, please return it to the above address within 14 days in order to become a registered voter in our county. If it is possible that you were previously registered under a different name please indicate this on the new registration form.

Please feel free to call if you have any questions.
Thank you for your attention to this matter.

Sincerely,

The _____ County Board of Registrars

Sample Letter – Final Notice for Registration

Final Notice

Date

Registrant Name

Street Address

City, State, Zip

Dear _____,

Your Voter Registration form was received in our office with omissions. We attempted to contact you by phone regarding this as well as by mail. A completed voter registration form is required to register or make updates. Since we have had no response from you, we regret to inform you that this is our final attempt to obtain the information needed to register /update you to vote. If we do not receive this within 10 days your application will be denied.

You may submit a completed voter registration form at any time. To obtain a form, please visit your county library, a license office branch, the Registrar's office, or go online to alabamavotes.gov where you can download a form or register/update online. You may also register via the app on your phone at voteforallabama.

Should you have any questions, please do not hesitate to contact our office. All voters must be registered 14 days prior to an election in order to vote.

Sincerely,

_____ County Board of Registrars

_____ Chairman

Sample Letter – Inactive Status – Incomplete Information

County Board of Registrars Letterhead Here

Date _____

Dear _____,

Our records indicate you are currently listed as an “inactive” voter in _____ County because your voter registration information is incomplete. The information checked below is needed to update your records. Please complete and mail this form to the above address. If you choose not to update your voter registration at this time, you will remain on “inactive” status and will be required by law to update at the polls before you are allowed to vote. (*Section 17-13-8 AL Election Handbook*).

() County in which you currently reside: _____

() Valid Street Number & Name (E911): _____

() Last 4 digits of Social Security Number: _____

() Alabama Driver’s License Number: _____

() Date of Birth: _____

() County in which you were born: _____

() Telephone Number: _____

() Mailing Address (if different from E911): _____

() Please Print your Full Name: _____

() Your Signature: _____

Thank you for your attention to this matter. If you have any questions Please contact our office at the number listed above.

Sincerely,

The _____ County Board of Registrars

Sample Letter – Voter Registration – Incomplete Information

County Board of Registrars Letterhead Here

Date _____

Dear _____,

The information checked below is needed to process your Voter Registration Application.
Please complete and mail this form to the above address within 14 days of the date of this letter.

() County in which you currently reside: _____

() Address where you were last registered to vote: _____

() Valid _____ County E911 Address: _____

() Last 4 digits of Social Security Number: _____

() Date of Birth: _____

() Place of Birth: _____

() Telephone Number: _____

() Mailing Address (if different from E911): _____

() Please Print your Full Name: _____

() Your Signature: _____

Thank you,

The _____ County Board of Registrars

Sample Letter – Felony Conviction Letter – Intent to Remove (MUST be Certified)

County Board of Registrars Letterhead Here

Date

Street Address

City, State, Zip Code

Re: Intent to Remove from Voter List due to Felony Conviction

In accordance with Sections 17-4-4 and 17-4-35, Code of Alabama, as amended, the County Board of Registrars has received notification from the Administration of Courts that you have been convicted of a felony. The Board of Registrars has determined that the felony involves moral turpitude and, therefore, you are no longer qualified to vote in the State of Alabama until you obtain a restoration of voting rights from the Alabama Board of Pardons and Paroles.

If you believe this decision has been made in error, or if your voting rights have been restored by the Alabama Board of Pardons and Paroles, please provide official documentation to the Board of Registrars within 30 days of this letter.

If you do not have official documentation, please contact the Alabama Board of Pardons and Paroles at (334)353-7206 or (334)242-8700. Additional information is also available on their website www.pardons.state.al.us.

If you have any questions regarding this matter, please call our office at the number listed above.

Sincerely,

The _____ County Board of Registrars

Sample Letter: Non-Certified Felon Letter for new registrants or 2nd notices

County's Board of Registrars Letterhead Here

Date

Voter's name

Address

City, state & zip

Dear Mr. /Ms. _____,

We recently received a (**Voter Registration application/Online Electronic Voter Registration Application/ Update form**) from you. Review of the application indicates you are not eligible for voter registration at this time due to the following reason:

***Criminal conviction involving moral turpitude in _____ County**
DC 2016-000-35500 – October 28, 2014: Domestic Violence 1st Degree

If your voting rights have been restored by the Alabama Board of Pardons and Paroles, please provide official documentation of the restoration to the Board of Registrars within 30 days of the date of this letter so we can register you as an eligible voter. If you do not have official documentation or have not applied to have your voting rights restored, please contact the Pardon Unit at (334)353-7771 or (334)353-8067. Additional information is also available on their website (www.pardons.state.al.us).

If you have any questions, please call our office at the numbers listed above, and we will be happy to assist you.

Sincerely,

_____ County Board of Registrars

These are provided as
a way to help organize
and streamline
Criminal Conviction
Files

Criminal Conviction



Bar Code Label: *optional*

Last:

First:

Alias:

Date of Birth:

Social Security #:

☐

Disqualified from Registering to vote due to criminal conviction

Date: _____

☐

Removed from Voter Rolls due to criminal conviction

Date: _____

*This is an **optional** Cover Sheet to use with any Criminal Conviction Files.
It makes it easier to locate and reference in filing cabinets.*

*Optional Sheet Copied from Notes in Power Profile and Scanned into Attachments.
(This provides detailed information for all counties to access and make easy to read)*

NOTES:

NAME: XXXXX

Social Security #: #####

Birthdate: ##/##/####

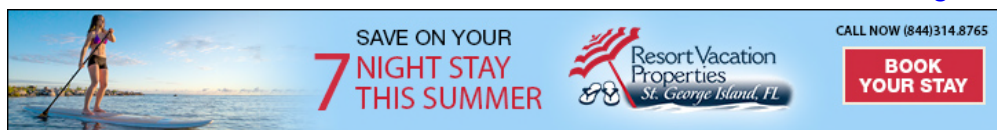
NOTE: CC 0000 000 000 00 – Explanation, DOC (Date of Conviction)

COUNTY CONVICTED IN – DESIGNATE MORAL TURPITUDE OR NOT MORAL TURPITUDE

CERTIFIED LETTER SENT (DATE)

LIST ANY ADDITIONAL LETTER SENT (DATE)

EXHIBIT B



REAL-TIME NEWS FROM AL.COM

Registering felons to vote in jail: How a new Alabama law impacts voting rights, politics

113

Posted on June 29, 2017 at 8:17 AM

42
shares

BY CONNOR SHEETS

csheets@al.com

Spencer Trawick lost the right to vote when he was convicted of felony third-degree burglary for breaking into a Dothan house in 2015.

As an 18-year-old at the time, he had registered to vote only months before he got in trouble, so he was disappointed to learn that he had been barred from casting a ballot in Alabama.

But on Monday, Trawick filled out a registration form while inside the Dothan City Jail with the help of Pastor Kenneth Glasgow, a civil rights advocate who has been registering inmates to vote for more than a decade.

"You're registered to vote, man! You're a full citizen now," Glasgow told Trawick after he filled out a voter registration form supplied by the Dothan pastor. "You can say, 'All right, I [am] a citizen!'"



Pastor Kenneth Glasgow helps Dothan City Jail inmate Spencer Trawick fill out a voter registration form inside the jail Monday afternoon. (Connor Sheets | csheets@al.com)

'Actually delighted'

Because of a newly approved law dubbed the Definition of Moral Turpitude Act, Trawick - like thousands of other felons across the state - is now assured that he has the ability to regain the right to vote, despite the fact that he is an incarcerated convict.

Though the new law was passed with broad bipartisan support, it has generated controversy as some voters and political observers have questioned why a Republican-majority state legislature and GOP governor would approve a bill that will likely result in more convicted felons voting.



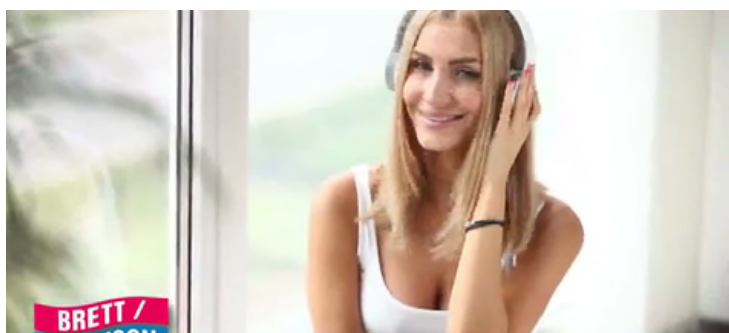
Passed by both houses of the state legislature with zero nay votes last month and signed into law on May 24 by Gov. Kay Ivey, the law lists more than 40 felonies that are considered crimes of "moral turpitude" - a phrase in the Alabama Constitution that had never previously been clearly defined.

For generations, many people in Alabama believed that they permanently lost their right to vote if they were convicted of any felony. And from the Jim Crow era through President Barack Obama's two terms, Alabama has resisted national political pressure to enfranchise more people, particularly felons.

But the state constitution says that only people who are convicted of a "crime involving moral turpitude" should lose the right to vote. Anyone else retains that basic right, even people incarcerated in state prisons or local jails, who can cast absentee ballots provided they are registered to vote.

Because the vague "moral turpitude" language had never been officially clarified, each of Alabama's 67 county boards of registrars was left to individually interpret it. That meant that one county might allow a person who had been convicted of a specific felony to register to vote, while the next might bar a person who had been convicted of the same crime from doing so. That uncertainty led many felons to abstain from trying to register to vote because it was unclear whether they would be allowed to cast a ballot in a given county, according to Glasgow. The new law eliminates that uncertainty.

ADVERTISING



The Definition of Moral Turpitude Act identifies first- and second-degree burglary as crimes of moral turpitude, but not third-degree burglary. So Trawick, who grew up in Dothan but lived in Mobile at the time of his incarceration, now has the clarity he needs to know that he is eligible to register to vote in any Alabama county.

"I'm actually delighted about it, really," Trawick said Monday afternoon inside the Dothan City Jail. "A lot of people get felonies and they just feel like their whole world's shattered because there's a lot of things that you can't do, but now that they passed that law a lot of people are going to run towards it."



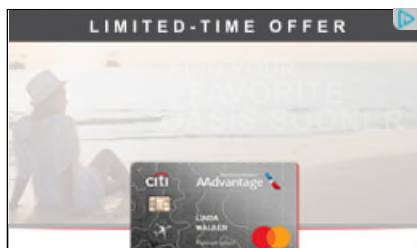
Dothan City Jail inmate Spencer Trawick stands inside the jail Monday afternoon. (Connor Sheets | csheets@al.com)

'Kiwis to kumquats'

Terry Lathan, chairwoman of the Alabama Republican Party, said she thinks that "many people will be shocked to find out" about some of the law's impacts.

"If you're a person that's had your house broken into, and let's say they stole your lawnmower, you're going to believe that under the definition of moral turpitude they dropped their morals by taking your stuff, but now we're going to not punish them as much?" Lathan said. "If you're the guy whose house got broken into, you're probably not going to like that."

But most Republican lawmakers and leaders across the state who spoke with AL.com about the legislation said it was aimed at clarifying the law and ensuring that no one is wrongly disenfranchised, not giving random criminals voting rights.





Responding to such concerns, Joel Blankenship, vice chairman of the Jefferson County Republican Party, said he believes "the intent behind the bill was to grant the vote back to those who should have it," not to flood the polls with hardened felons.

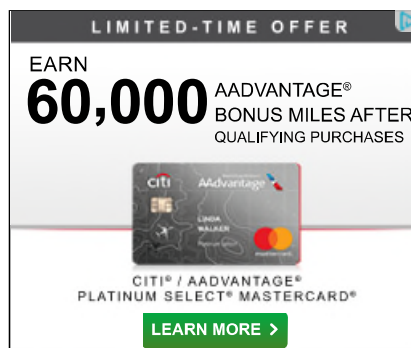
"To their response, I would say that there are a multitude of crimes that are considered to be a felony. And one felony does not equate another felony. Sometimes comparing one felony to another is like comparing apples to oranges, or kiwis to kumquats," Blankenship said.

"So with an issue as important as voting, we should clearly define who has that right and not give a broad interpretation or ambiguous interpretation to allow people to be disenfranchised."

Alabama Secretary of State John Merrill was instrumental in getting the new legislation - which nearly became law in 2015 and 2016 - passed. The Republican communicated its benefits to legislators and urged them to support it.

Merrill said the bill was drafted largely in response to long-unheeded concerns raised by registrars who told him they felt uncomfortable with the broad leeway they had to determine which felons were allowed to vote.

"Why did I do this? When I was campaigning I went around the state and one of the things that was repeatedly shared with me was that as registrars and election officials they don't know what a crime of moral turpitude is because different people have different interpretations," he said.



Merrill added that the law is aimed at ensuring that people are not wrongly barred from being allowed to cast a ballot.

"This law clearly defined and clarified the laws that, if broken, are designated as crimes of moral turpitude without any interpretation by anyone in any role in the state," he said.

"All sins are equal in the eye of the Lord - the Bible says that. But men and women look at crimes in different ways. They don't see that stealing a penny candy from the store is the same as killing somebody."

State Sen. Cam Ward (R-Alabaster), who sponsored the bill in the state Senate, said that another key reason it was necessary was the fact that the state has been sued multiple times over its approach to felon voting rights.

Ward added that he does not expect the new law to lead to a massive surge in the number of felons taking the initiative to register to vote.

"The percentage is still small. [Even though] they can, a huge number of them never apply to vote again," Ward said. "If you talk to registrars across the state, it's a fraction of people who apply for it."



Dothan City Jail inmate Spencer Trawick stands inside the jail Monday afternoon. (Connor Sheets | csheets@al.com)

'A very clear trend'

In 2014, then-Attorney General Eric Holder pressed for felon disenfranchisement reform, saying too many states bar some or all convicted felons from voting.

"Across this country today, an estimated 5.8 million Americans ... are prohibited from voting because of current or previous felony convictions," Holder said in a February 2014 speech.

"That's more than the individual populations of 31 U.S. states. And although well over a century has passed since post-Reconstruction states used these measures to strip African-Americans of their most fundamental rights, the impact of felony disenfranchisement on modern communities of color remains both disproportionate and unacceptable."

In Alabama, 286,266 people - or 7.6 percent of the state's population - were disenfranchised as of 2016, according to The Sentencing Project, a Washington, D.C.-based criminal justice reform non-profit. There were 143,924 disenfranchised African-Americans in Alabama - 15.11 percent of the state's overall African-American population - as of last year, according to the organization.

Alabama is one of only 12 states that still permanently bars some felons from being able to vote even after they serve out their sentences, according to Danielle Lang, senior legal counsel for voting rights and redistricting at the Campaign Legal Center, a nonpartisan electoral rights advocacy outfit in Washington, D.C.

In Maine and Vermont, every single resident has the right to vote despite any criminal convictions. In 14 states plus the District of Columbia, anyone who is registered to vote can do so as long as they are not incarcerated, and in 22 other states, people regain their right to vote once they finish either parole or parole and probation, Lang said.

"There's definitely a very clear trend toward enfranchisement of people with convictions over the past 20 years nationally, that's why the circumstance is you only have 12 states with permanent disenfranchisement," she said. "That number used to be much larger."

Lang pointed out that national public opinion polling shows that Americans largely support granting felons the right to vote, but that lawmakers and officials in states including Alabama have lagged behind.

"Public opinion surveys report that eight in ten U.S. residents support voting rights for citizens who have completed their sentence, and nearly two-thirds support voting rights for those on probation or parole," The Sentencing Project wrote in a May 2016 report, which went on to state that "24 states have modified felony disenfranchisement provisions to expand voter eligibility" since 1997.



Spencer Trawick is an inmate at the Dothan City Jail. (Connor Sheets | csheets@al.com)

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Registering to vote in jail. How the new Alabama law impacts voting rights, politics

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 **Ad Choices**

EXHIBIT C

AGENDA

Voter Rights Restoration Training

Facilitated by Legal Services Alabama and ACLU of Alabama

Brown Chapel A.M.E. Church, Selma, AL

July 8, 2017 at 1:00-3:00pm

- | | |
|---------------|--|
| 1:00pm | Welcome
Artur Davis - Executive Director, Legal Services Alabama |
| 1:10pm | Voter Restoration Experience
Pastor Kenneth Glasgow - Founder, The Ordinary People Society |
| 1:25pm | New Moral Turpitude Law
Randall Marshall - Acting Executive Director, ACLU of Alabama |
| 1:35pm | Voter Restoration
Eddie Cook - Board Member, Alabama Board of Pardons & Paroles |
| 1:50pm | Voter Registration
Brent Beal - Attorney, Alabama Secretary of State |
| 2:05pm | Overview of Voter Restoration Process
Brock Boone - Staff Attorney, ACLU of Alabama |
| 2:20pm | Voter Restoration in the Community
Felecia Zigler Pettway - Managing Attorney, Legal Services Alabama
Pastor Kenneth Glasgow - Founder, The Ordinary People Society |
| 2:35pm | Clinics
Jonathan Barry-Blocker - Staff Attorney, Legal Services Alabama |
| 2:45pm | Q&A
All Speakers |
| 2:55pm | Conclusion
Artur Davis - Executive Director, Legal Services Alabama |