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 FOR PRELIMINARY INJUNCTION AND BRIEF IN SUPPORT

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INTRODUCTION

The dispute before the Court is about who should control the implementation of a new state election law. Everyone wants to go in the same direction; the only question is who gets to drive. The plaintiffs say it is necessary—urgently necessary—for this Court to grant them the right to micromanage how the Secretary of State implements the law. But it was the Secretary, not the plaintiffs, who developed the new law, drafted it, and pushed it through the Legislature. The Secretary, not the plaintiffs, is statutorily empowered to implement state election laws. And the people of Alabama overwhelming elected the Secretary, not the plaintiffs, to be Alabama's chief election officer. A federal injunction to order the Secretary to implement the new state law in a particular way would not meaningfully remedy anything, would cause confusion leading up to the August 15 special primary election, and would flout principles of federalism and good government. There is no reason for this Court to put John Merrill in the passenger's seat and give the wheel to the plaintiffs and their lawyers.

FACTS

A. State officers worked to enforce the old law in a practically uniform manner.

Although Alabama has disenfranchised felons since it became a State, the facts that are most relevant to the plaintiffs' motion began in 2006. In 2006, a felon sued the Secretary of State for removing him from a voter list based on a felony that

did not involve moral turpitude. The Attorney General of Alabama intervened in the case, confessed judgment, and "acknowledged that [the plaintiff's] felony conviction—driving under the influence—is not a crime involving moral turpitude, and, therefore, that he was not barred from registering and voting by § 177(b)." *Chapman v. Gooden*, 974 So. 2d 972, 980 (Ala. 2007).

The Attorney General, Secretary of State, and Administrative Office of the Courts acted to make sure that only felons who had committed crimes of "moral turpitude" were disqualified. The Attorney General issued an opinion about the proper definition of the term "moral turpitude," which was "sent to every board of registrars in the State, and the registrars were invited to seek the advice of the attorney general, if necessary, in determining whether a particular felony involved moral turpitude." *Id.* at 980. The Attorney General's Opinion No. 2005-092, (available at 2005 WL 1121853 (March 18, 2005)), explains that an "act involving moral turpitude is immoral in itself, regardless of the fact that it is punished by law." Moreover, "while a crime is not required to have fraud as an element to be considered a crime involving moral turpitude, the presence of fraud in a crime ensures a finding of moral turpitude." The opinion also identifies specific felonies that are, and are not, crimes of moral turpitude under Alabama law. The AOC also created a list of crimes that had been found by Alabama courts to be crimes of moral turpitude. *See* Ex. A, Declaration of Edward Packard ¶2.

Federal and state law, such as the Help America Vote Act of 2002, directs registrars to remove disenfranchised felons from their lists of those eligible to vote in federal elections. That process works as follows. The Secretary of State's Office receives notice of a conviction from the Administrative Office of the Courts or a U.S. Attorney's Office, and it forwards that notice to the Board of Registrars. For convictions received from the Administrative Office of the Courts, the forwarding process is automated. If the Board determines that the voter should be removed from the rolls, the Board sends the voter a notice of its intent to remove the voter by certified mail. *See* Ex. B, Declaration of Clay Helms ¶6; Ex. G, Declaration of James Donald Milligan ¶ 2.

Under the old law, the State worked to make this process as uniform as possible. The Secretary of State's office "provided individual guidance by phone to registrars about whether a particular crime was disqualifying." *See* Ex. A, Declaration of Edward Packard ¶5. The State publishes an Election Law Handbook that is widely used by registrars and others. *See* Ex. A, Declaration of Edward Packard ¶4; *cf.* Ex. G, Declaration of James Donald Milligan ¶ 3. That handbook has, since the 2007 edition, included information about felonies that qualify for disenfranchisement and has advised registrars of the Attorney General's Opinion and the AOC's memorandum on the subject. *See* Ex. A, Declaration of Edward Packard ¶4 & exh. 1 (handbooks). In 2015, the Secretary of State issued formal

guidance to registrars about how to interpret and apply the term moral turpitude in a new Registrars Handbook. *See* Ex. B, Declaration of Clay Helms ¶9 & exh. 4 (2015 handbook). For example, the 2015 Handbook includes this "frequently asked question":

> Q: What felonies qualify as involving moral turpitude?
>
> A: A chart of the felonies that meet this qualification can be found on pages 6 and 7 of this document. A broad response to this question can be found on pg. 275 of the Alabama Election Handbook.

See Ex. B, Declaration of Clay Helms ¶9 & exh. 4 (2015 handbook). The Registrars' handbook also includes model letters, forms, and notices that registrars may use to resolve issues arising with felon disenfranchisement. *See* Ex. B, Declaration of Clay Helms ¶9 & exh. 4 (2015 handbook).

"Registrars are judicial officers and shall act judicially in all matters pertaining to the registration of applicants." ALA. CODE § 17–3–6. Registrars must give 30 days' notice before removing someone from a voter list so that he or she has an opportunity to respond. *See* Ex. B, Declaration of Clay Helms ¶10. Voters have the right to appeal the denial of voter registration or their removal from the voter list. *See* ALA. CODE § 17-3-55; *see also* Ex. G, Declaration of James Donald Milligan ¶ 2. The Secretary of State instructs registrars not to remove felons from the voting list within 45 days before an election. *See* Ex. B, Declaration of Clay Helms ¶10.

B. The new law is being actively implemented by registrars, the Secretary of State, and Pardons and Paroles.

Shortly after taking office in 2014, Secretary of State John Merrill established an exploratory committee on "voter disenfranchisement and restoration of voting rights." *See* Ex. A, Declaration of Edward Packard ¶6. This committee was not a concession that any part of the felon disenfranchisement process was unconstitutional. Instead, it was about good government and modernizing Alabama's elections. *See* Ex. A, Declaration of Edward Packard ¶6. The Secretary has organized other similar committees for these same purposes. *See* Ex. A, Declaration of Edward Packard ¶6. A subcommittee of the "voter disenfranchisement and restoration of voting rights" committee drafted proposed legislation to create an exclusive list of felonies that would qualify as felonies of "moral turpitude" for the purposes of voting. *See* Ex. A, Declaration of Edward Packard ¶6. After this bill was introduced in previous sessions, the Legislature ultimately enacted this proposed legislation in a modified form by a unanimous vote in 2017. *See* Ex. A, Declaration of Edward Packard ¶6.

The passage of this bill—HB 282 or Act No. 2017-378—represents years of work by the Secretary of State. *See* Ex. C, Declaration of Brent Beal ¶2. The Secretary of State and other officials within state government are actively implementing the legislation. On June 2, 2017, Secretary Merrill personally gave a presentation on the legislation to the state association of registrars at their summer

conference and advised them to use the list as the exclusive means of evaluating registrants. *See* Ex. B, Declaration of Clay Helms ¶8. Also in June, the Secretary's staff modified the registrars' handbook to incorporate the legislation and distributed the modified handbook to registrars. *See* Ex. B, Declaration of Clay Helms ¶9.

The effective date of HB 282 is August 1. But, because the August 15 special primary election is after the effective date, registrars are already using the new law to determine whether new registrants who have committed felonies are qualified to vote in the August 15 primary election. The Chairman of the Montgomery County Board of Registrars, and a named defendant in this lawsuit, just recently permitted a felon to register to vote under the new law. He explains in the attached declaration:

> On July 17, 2017, my office permitted an individual convicted of a felony to register to vote. Although this person's felony would have been disqualifying under the old law, it is not under the new law. We called the Secretary of State's office and were advised to follow the new law in advance of the August 1 effective date.

See Ex. E, Declaration of George Noblin ¶4. The Secretary of State's liaison with the Board of Registrars is "not aware of any registrar who has received an application to register from a felon and has not applied the new law." *See* Ex. B, Declaration of Clay Helms ¶7.

The Secretary has executed a $250,000 contract with Auburn University to provide a structured training program for registrars about a variety of subjects, including felon disenfranchisement. *See* Ex. B, Declaration of Clay Helms ¶12 &

exh. 6 (contract and course schedule). Through the fall, two-day training sessions on the introductory portions of the course schedule will take place at different locations in Alabama for the registrars in that region. *See* Ex. B, Declaration of Clay Helms ¶12. The next course in the series after the introductory courses, Course 2001, is titled "Special Circumstances: Moral Turpitude & Competencies." *See* Ex. B, Declaration of Clay Helms ¶12 & exh. 6 (contract and course schedule).

The Secretary's staff is working with the Administrative Office of the Courts (AOC) to develop codes for the crimes listed in the new statute, which AOC will then use to distribute only disqualifying felony offenses to registrars for the purposes of maintaining accurate voter rolls. *See* Ex. B, Declaration of Clay Helms ¶11. That process is expected to be complete by August 1, 2017. *See* Ex. B, Declaration of Clay Helms ¶ 11.

On July 5, 2017, the Secretary of State's liaison to the registrars instructed the registrars to stop removing voters from the voter list until after the August 15 election. *See* Ex. B, Declaration of Clay Helms ¶10. The process of removing voters has to stop 45 days before an election because a voter needs 30 days to respond to the removal notice and registration closes 15 days prior to an election. *See* Ex. B, Declaration of Clay Helms ¶10. If there is a special primary run-off election held on September 26 as anticipated, then registrars will have to wait until after that election before removing voters for felony convictions. *See* Ex. B,

Declaration of Clay Helms ¶10. By then, the AOC will only distribute disqualifying felony offenses to the registrars as provided in the new law.

There has been widespread press coverage of the new law in every kind of media outlet from national newspapers like the New York Times to local TV stations like WFSA. *See* Ex. F, Declaration of Angelique Pugh ¶¶ 19–62 & exh. 9–12. Information about the new law is at the top of relevant google searches. *See* Ex. F, Declaration of Angelique Pugh ¶¶ 12–14 & exh. 7. The Secretary and Board of Pardons and Paroles are coordinating with the ACLU and Legal Services of Alabama to host a series of sessions throughout Alabama over the month of July. *See* Ex. C, Declaration of Brent Beal ¶ 5; Ex. D, Declaration of Phil Bryant ¶¶ 4, 7. The ACLU and Legal Services of Alabama have widely publicized these events, maintain active webpages about the new law, and post training and explanatory materials on these websites, on their facebook pages, etc. Ex. F, Declaration of Angelique Pugh ¶¶ 3–11 & exh. 1–6. After meeting with representatives of these groups, the Secretary and the Board of Pardons agreed to cooperate with these efforts and have in fact done so. *See* Ex. C, Declaration of Brent Beal ¶ 5. For his part, Secretary Merrill has done numerous media interviews about the new law, and a press conference with House and Senate supporters of the law is currently scheduled to take place on July 27, 2017. *See* Ex. C, Declaration of Brent Beal ¶ 3. Television clips, newspaper articles, and other forms of media, which reflect extensive press coverage of the new

law are attached as Exhibits 1–6 and 9–12 to the declaration of Angelique Pugh, which is attached as Exhibit F to this brief. Exhibit 7 to that declaration reflects that the top results on google for searches about felon voting in Alabama return results that include information about the new law.

C. The Secretary has decided not to provide individualized notice of HB 282 to disqualified felons or to add HB 282's list of 60 felonies to hard-copy voter forms.

There are about 3.2 million registered voters in Alabama. Only six people work in the Secretary of State's Election's Division. *See* Ex. A, Declaration of Edward Packard ¶1. Using their voter information database, the Election's Division has compiled a list of approximately 60,000 felons who were removed from voter rolls or denied registration. *See* Ex. A, Declaration of Edward Packard ¶8. The undersigned counsel delivered that list to the plaintiffs' local and DC counsel on or about July 19, 2017.

The Secretary has decided not to provide individual notice of the new law to the approximately 60,000 felons on this list. The list goes back an indeterminant amount of time. *See* Ex. A, Declaration of Edward Packard ¶10–11. The Secretary does not have information about the specific felonies that these persons committed that caused them to be denied the right to vote nor does he have information about crimes that these persons have committed since being denied the right to vote. *See* Ex. A, Declaration of Edward Packard ¶10–11. Accordingly, the list includes felons

who have committed crimes that render them ineligible to vote under the new law and may include felons who have had their right to vote restored by Pardons and Paroles. *See* Ex. A, Declaration of Edward Packard ¶11. The Secretary's staff believes that most of these mailings will be undeliverable because: (1) about half initial mailings to felons telling them that they are removed from the voter list are undeliverable (2) the people on this list are not registered to voter and, therefore, have not updated their address information and (3) for a recent mailing to registered voters at their place of registration, 12% of the mailing was returned as undeliverable. *See* Ex. A, Declaration of Edward Packard ¶9. The Secretary's staff also believes that such a mailing is likely to cause confusion because it cannot be accompanied by an individualized explanation of whether the recipient can register to vote and the mailing will be received by felons that the new law bars from voting. *See* Ex. A, Declaration of Edward Packard ¶10; Ex. B, Declaration of Clay Helms ¶ 15; Ex. C, Declaration of Brent Beal ¶ 8.

Three voting registration forms are relevant to the plaintiffs' motion.

First, the state voter registration form can be accessed electronically on the Secretary of State's website. *See* Ex. B, Declaration of Clay Helms ¶ 4. The Secretary has modified the instructions on the electronic form so that the phrase "disqualifying felony" has a hyperlink to the list of felonies in the new law. *See* Ex. B, Declaration of Clay Helms ¶13.

Second, the hardcopy of the state form comes in many variations based on how and where it is distributed. *See* Ex. B, Declaration of Clay Helms ¶2–3. The mail-in forms are a single piece of paper: the front is the form, the back is the list of addresses where it should be mailed. A copy of this form is included as Exhibit 1 to the Declaration of Clay Helms, which is itself Exhibit B to this brief. After printing hard copies of the forms, the Secretary either maintains them in a warehouse until they are needed to replenish stock in county offices or the Secretary distributes them to specific locations as required by the National Voter Registration Act (*e.g.* driver's license offices). *See* Ex. B, Declaration of Clay Helms ¶2–3. The Secretary also widely distributes these forms to private groups, like the League of Women voters. The Secretary has printed approximately 1,775,000 hardcopy forms between 2015 and 2017, most of which have been distributed to state agencies and offices. *See* Ex. A, Declaration of Edward Packard ¶14; Ex. B, Declaration of Clay Helms ¶ 3

The Secretary's staff believes that attempting to list 60 specific felonies on the hardcopy form will be impractical and confusing to voters. *See* Ex. A, Declaration of Edward Packard ¶ 13; Ex. B, Declaration of Clay Helms ¶ 14; Ex. C, Declaration of Brent Beal ¶ 8. There is no space to add a list of 60 specific felonies without substantially altering the form's appearance and usefulness. *See* Ex. A, Declaration of Edward Packard ¶13. And, of course, to change the hardcopy forms would requiring collecting and destroying presently circulating forms, which is

impossible on an expedited basis given how widely distributed these forms are. *See* Ex. A, Declaration of Edward Packard ¶14.

Alabama's current form is not meaningfully different from forms used by other states. For example, Georgia's form requires applicants to swear or affirm that they are "not serving a sentence for having been convicted of a felony involving moral turpitude." *See* Ex. F., Declaration of Angelique Pugh ¶ 16 & exh. 8. Missouri requires applicants to swear or affirm that they have not "been convicted of a felony or misdemeanor connected with the right of suffrage." *See* Ex. F, Declaration of Angelique Pugh ¶ 17 & exh. 8. Nevada requires applicants to swear or affirm that they are "not laboring under any felony conviction or other loss of civil rights that would make it unlawful for me to vote." *See* Ex. F, Declaration of Angelique Pugh ¶ 18 & exh. 8.

Third, the federal Election Administration Commission (EAC) maintains something called a federal voter registration form. It is a standard nationwide form with a list of state-specific instructions. *See* Ex. B, Declaration of Clay Helms ¶ 5. In 2014, the Secretary of State advised the EAC to change Alabama's state-specific instructions on the federal voter registration form to, among other things, change the deadline to register from 10 days in advance of an election to 14. *See* Ex. A, Declaration of Edward Packard ¶ 12. The EAC responded to the Secretary's letter

approximately *two years later*, agreeing to make these changes. *See* Ex. B, Declaration of Edward Packard ¶12 & exh. 4.

Nonetheless, the current form reflects that Alabama's state-specific instructions were last changed in 2006. *See* Ex. B, Declaration of Clay Helms ¶ 5 & exh. 3 (federal form and instructions). The Secretary's staff recently called and emailed the EAC's staff and director to attempt to convince the EAC to change the registration deadline on the federal form before the August 15 election so that it accurately reflects state law. *See* Ex. B, Declaration of Clay Helms ¶ 5. Despite the Secretary's efforts, as of July 20, 2017, the state-specific instructions to the federal form still reflected the wrong registration deadline. *See* Ex. B, Declaration of Clay Helms ¶ 5 & exh. 3 (federal form and instructions). Based on their "recent experience trying to get the EAC to change one word in the instructions (the word "ten")," the Secretary's staff believes that "the EAC would be unlikely to approve a list of 60 specific felonies on the federal form." Ex. B, Declaration of Clay Helms ¶ 14.

The Secretary's staff also believes that changing these forms to include a list of 60 felonies is unnecessary. *See* Ex. A, Declaration of Edward Packard ¶ 12. Registrars receive incomplete or inaccurate forms all the time. *See* Ex. A, Declaration of Edward Packard ¶ 12; *see also* Ex. G, Declaration of James Donald Milligan ¶¶ 2–3. Thousands of people have been denied registration because of a

disqualifying felony. But an employee of the Secretary of State's office who has been there 20 years is not aware of anyone having been prosecuted because they attempted to register to vote and incorrectly stated that they had not been convicted of a disqualifying crime. *See* Ex. A, Declaration of Edward Packard ¶ 12. Similarly, the Chairman of the Montgomery Board of Registrars has recently denied applications from individuals because of disqualifying felonies but did not refer any of those individuals for prosecution. *See* Ex. E, Declaration of George Noblin ¶5; *see also* Ex. G, Declaration of James Donald Milligan ¶ 3.

ARGUMENT

I. The plaintiffs have not even attempted to meet the incredibly high standard for a mandatory, dispute-ending preliminary injunction.

The plaintiffs' motion conspicuously fails to identify the incredibly high standard they must meet. The Supreme Court has explained that injunctive relief is "an extraordinary remedy that may only be awarded upon a clear showing that the plaintiff is entitled to such relief." *Winter v. Nat. Res. Def. Council*, 555 U.S. 7, 22 (2008). But, in addition to the usual standard for granting a preliminary injunction, two additional hurdles stand in plaintiffs' way to the specific kind of injunction they seek here.

First, because the motion seeks affirmative action, preliminary relief is disfavored, and the plaintiffs must bear an even higher burden. "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).

Second, the standard for an injunction is even higher in a case like this one where the preliminary injunction will effectively end the dispute by granting the plaintiff all conceivable relief. A "heightened showing" is "required where the issuance of the injunction would provide the movant with substantially all the relief

he or she seeks and where the relief could not then be undone, even if the non-moving party later prevails at trial." *Phillip v. Fairfield Univ.*, 118 F.3d 131, 133 (2d Cir. 1997); *see also Dakota Indus., Inc. v. Ever Best Ltd.*, 944 F.2d 438, 440 (8th Cir. 1991). Absent truly extraordinary circumstances, a "court should not by mandatory injunction grant temporary relief which will dispose of the case on the merits." *Iron City Indus. Cleaning Corp. v. Local 141, Laundry & Dry Cleaners Int'l Union, AFL-CIO*, 316 F. Supp. 1373, 1376 (W.D. Pa. 1970). But that kind of relief is exactly what the plaintiffs are seeking here. If the Secretary is ordered to provide individualized notice of the new law to felons, for example, that notice and the confusion it will cause cannot be undone.

II. The plaintiffs are not likely to succeed on the merits of Counts 6 through 10 of their complaint.

The plaintiffs are not likely to succeed on the merits of Counts 6 through 10 in their complaint. Plaintiffs must "clearly establish[] the 'burden of persuasion'" for each element of the preliminary-injunction standard to obtain that "extraordinary and drastic remedy." *Siegel v. LePore*, 234 F.3d 1163, 1176 (11th Cir. 2000) (per curiam) (en banc) (quoting *McDonald's Corp. v. Robertson*, 147 F.3d 1301, 1306 (11th Cir. 1998)) (other citation omitted). And they are required to present *evidence* to do so. *See Church of Scientology Flag Serv. Org., Inc. v. City of Clearwater*, 777 F.2d 598, 608 (11th Cir. 1985) ("The Church of Scientology would have us hold that

it was entitled to preliminary injunctive relief as a matter of law solely on the basis of its naked allegations. This of course we cannot do.") (footnote omitted). So far, the plaintiffs have not attempted to meet this standard.

A. The defendants have not conceded the unconstitutionality of the previous regime.

The motion for preliminary injunction is based almost entirely on the erroneous notion that the defendants have conceded or admitted that the prior disqualification regime was unconstitutional. The plaintiffs make this inference based on (1) the fact that the law was changed and (2) newspaper articles recounting purported comments from legislators and the Secretary about purported failures in the old regime. *See* Doc. 56 at 18–19 (arguing that "[a]ny possible factual doubts regarding the lack of uniformity prior to HB 282 are conclusively resolved by HB 282's acknowledgment of the inadequacy of the prior system, as well as the statements by Defendant Merrill and by numerous legislators, including sponsors of HB 282."); *see also id.* at 11 (stating that "[i]f there were any doubt about this unconstitutional state of affairs, the text of HB 282 and statements made by Defendant Merrill and state legislators leading up to its passage erase it").

Neither of these things establishes a "concession" or "admission." To the extent the plaintiffs intend to rely on this theory going forward, it fails to meet their burden to show that this is one of those "rare instances in which the facts and law

are clearly in favor of the moving party." *Exhibitors*, 441 F.2d at 561 (quotation omitted).

First, the plaintiffs cannot rely on the enactment of HB 282 as evidence that the previous moral-turpitude standard was unconstitutional. This entire theory flouts Rule 407 of the Federal Rules of Evidence, which provides that evidence of remedial measures is inadmissible "to prove . . . culpable conduct . . . ." FED. R. EVID. 407. This Rule expressly "rejects" the plaintiffs' central theory of liability—"the notion that 'because the world gets wiser as it gets older, therefore it was foolish before.'" FED. R. EVID. 407, advisory committee's note to 1972 Proposed Rules (quoting *Hart v. Lancashire & Yorkshire Ry. Co.*, 21 L.T.R. N.S. 261, 263 (1869)). The plaintiffs' wrong-headed theory would perversely disincentivize States from acting to improve their laws. *See S.R. v. Dreyfus*, No. C10–2052Z., 2011 WL 31553, at *9 n.11 (W.D. Wash. Jan. 5, 2011) ("[I]f the Court accepted plaintiffs' argument, it would create a disincentive for the State to seek approval in the future out of fear that the request for approval would be deemed an admission that federal approval was necessary") (citing FED. R. EVID. 407); *Inside Connect, Inc. v. Fischer*, No. 13–CV–1138 (CS), 2014 WL 2933221, at *13 (S.D. N.Y. June 30, 2014) ("If every change in policy resulted in a claim that a previous policy was unjustified or illegal, governments would be less likely to review their regulations and procedures out of fear of being sued.") (citing FED. R. EVID. 407).

Besides, there are many policy reasons for the Legislature to have enacted HB 282 that have nothing to do with the constitutionality of the old regime. As explained in the declaration of Edward Packard, who drafted the new law, the law arose from a committee that the Secretary established years before this lawsuit with the purpose of modernizing Alabama law. Ex. A, Declaration of Ed Packard ¶ 6. The Secretary has also established other, similar committees to consider good government or modernization legislation. Ex. A, Declaration of Ed Packard ¶ 6. The new law permits more people with felony convictions to vote than the previous law. And it allows registrars and persons with felony convictions to determine eligibility more quickly and simply than under the previous law. The Legislature no doubt believed that these were good things in and of themselves.

Second, even if the plaintiffs' theory made any legal sense, the plaintiffs could not rely on newspaper articles as evidence of what Secretary Merrill or any legislators thought about the previous law. *See* FED. R. EVID. 801(c). A party supporting or opposing a motion for a preliminary injunction "may rely on affidavits and hearsay materials which would not be admissible evidence for a permanent injunction, if the evidence is 'appropriate given the character and objectives of the injunction proceeding.'" *Levi Strauss & Co. v. Sunrise Int'l Trading Inc.*, 51 F.3d 982 (11th Cir. 1995). But newspaper articles are never admissible for the truth of the matter asserted, and the Eleventh Circuit has specifically held that newspaper

articles cannot be used to show such legislative intent. *See Brooks v. Miller*, 158 F.3d 1230 (11th Cir. 1998); *see also Planned Parenthood Se., Inc. v. Strange*, 33 F. Supp. 3d 1381, 1385 (M.D. Ala. 2014) (Thompson, J.) (granting state defendants' motion to exclude newspaper articles as evidence of legislative intent). Here, the plaintiffs are relying on newspaper articles for the truth of the matter asserted and for a purpose the Eleventh Circuit has held is inappropriate—to show that Secretary Merrill and state legislators made certain statements and hold certain beliefs.[1] Even though a party may rely on affidavits and similar materials to support or oppose a motion for a preliminary injunction, newspaper articles are not the kind of hearsay materials that are "appropriate given the character and objectives of the injunction proceeding." *See Fla. Right to Life, Inc. v. Mortham*, No. 98770CIVORL19A, 1998 WL 1735137, at *6 (M.D. Fla. Sept. 30, 1998) (on motion for preliminary injunction, "[t]he Court declines to accept the truth of the newspaper accounts because of their hearsay nature").

[1] The defendants, on the other hand, are relying on newspaper articles the right way. We are submitting articles, not for the truth of the matter asserted, but simply to show that newspapers are reporting on the new law. *See United States v. Michtavi*, 155 F. App'x 433, 435 (11th Cir. 2005) (explaining that the government correctly "did not offer the newspaper articles to prove the truth of the matter asserted therein—the occurrence of the drug bust—but rather to show that newspaper articles reporting a New York drug bust existed").

B. Counts 6 through 10 suffer from serious legal and factual problems.

Five legal realities undermine the plaintiffs' likelihood of succeeding on Counts 6 through 10 of their complaint. First, even though felons across the country have filed lawsuits against felon disenfranchisement laws under every conceivable constitutional theory, these claims have not been successful unless they were based on race or gender. Second, the Supreme Court has held that the phrase "moral turpitude" is *not* vague, but that is the same operative phrase that the plaintiffs say is hopelessly vague and unenforceable. Third, felons do not have a fundamental right to vote under the United States Constitution so laws that affect their right to vote are necessarily reviewed under the most deferential standard, requiring only some rational basis to pass constitutional muster. Fourth, a claim about the unequal application of state law must allege intent, not mistake, but the plaintiffs are alleging only mistakes. Fifth, whatever the merits of these counts before HB 282, the enactment of HB 282 means there are now serious mootness problems that pervade the plaintiffs' claims.

In light of these serious legal obstacles, it strains credulity to say that this is one of those "rare instances in which the facts and law are clearly in favor of the moving party." *Exhibitors*, 441 F.2d at 561 (quotation omitted). Like the plaintiffs, we will briefly address the legal merits of their claims because the law is covered in

detail in the defendants' motion to dismiss. Unlike the plaintiffs, however, we will discuss the facts established by the attached declarations and how they undermine the plaintiffs' factual allegations in the complaint.

1. The law does not unconstitutionally burden the rights of those who have *not* been convicted of felonies involving moral turpitude (Count 6 & Count 7).

Count 6 and Count 7 are brought by plaintiffs who purportedly have *not* been convicted of felonies involving moral turpitude but "who cannot be legally certain that their convictions are not disqualifying." *See* Doc. 1 ¶¶ 44, 57, 193, 207. We stand on our previous briefing with respect to these claims, Doc. 43 at 41–45, except for the following additions.

First, we have solved these plaintiffs' purported problem. Now they can "be legally certain that their convictions are not disqualifying" in light of HB 282. That makes these claims moot.

Second, the complaint says that these plaintiffs are worried that they will be prosecuted if they erroneously sign registration forms "under penalty of perjury" that state that they are eligible. We told the Court in our last brief that this was wrong because perjury and voting offense require an intentional misrepresentation. Doc. 43 at 41–44. Now we can add that Ed Packard, who has worked in the Secretary of State's office for 20 years, has never heard of a registrar referring someone to prosecution for erroneously filling out a registration form. Ex. A, Declaration of Ed

Packard ¶ 15. We also know, because we provided the plaintiffs a list, that felons are routinely denied registration. *See also* Ex. E, Declaration of George Noblin ¶ 5; Ex. G, Declaration of James Donald Milligan ¶¶ 2–3. Plaintiffs' vagueness claims cannot succeed in light of all those denials and no known prosecutions. *See Thiess v. State Admin. Bd. of Election Laws, State of Md.*, 387 F. Supp. 1038 (D. Md. 1974) (three-judge court) (rejecting similar constitutional claim against felon disenfranchisement law because "there is no basis for concluding that any ex-convict who merely attempts to register will put himself in jeopardy of prosecution").

2. Alabama law does not violate procedural due process (Count 8).

Count 8 is a "procedural due process" claim under "the Fourteenth Amendment." Doc. 1 ¶ 216. It alleges that felon-disenfranchisement violates the Due Process Clause because Alabama law "provides Alabama citizens with little to no pre-deprivation process before revoking their right to vote, a fundamental right protected by both the Alabama and United States Constitutions." Doc. 1 ¶ 210.

In addition to the reasons listed in our motion to dismiss, Doc. 43 at 54–59, this claim also fails because plaintiffs' allegation that Alabama provides "little to no process" is incorrect. Due process requires notice and the right to be heard. *E.g.*, *United Student Aid Funds, Inc. v. Espinosa*, 559 U.S. 260 (2010). That is what Alabama law provides. If the Board of Registrars declines to register an applicant, he or she receives notice and has the right to appeal. *See* ALA. CODE § 17-3-55. If

the Board of Registrars decides to remove someone from the voting list, that person "must be notified by certified mail sent to the voter's last known address of the board's intention to strike his or her name from the list," and he or she has the right to appeal. ALA. CODE § 17-4-3; Doc. 1 ¶ 212; *Williams v. Lide*, 628 So. 2d 531, 534 (Ala. 1993); Ex. G, Declaration of James Donald Milligan ¶ 2. The Secretary of State provides sample forms for registrars to use in providing notice. Registrars must wait 30 days from giving someone notice because they are removed from the voting list. To preserve the 30-day objection period, the Secretary of State directs registrars not to remove voters from the list within 45 days prior to an election.

This claim is also moot. Because HB 282 ties disqualification to specific felony convictions, the full gamut of criminal procedural protections prevents voters from being erroneously disqualified. If you are convicted of a crime in the statute, you are disqualified. If you are not convicted, you are not. It is as simple as that.

3. The law is not unconstitutionally vague (Count 9).

Count 9 alleges that the "prohibition on voting for those convicted of felonies 'involving moral turpitude' is void for vagueness under the First and Fourteenth Amendments." Doc. 1 ¶ 225. In our view, it is sufficient that the Supreme Court has expressly held that the phrase "involving moral turpitude" is *not* void for vagueness. *See Jordan v. De George*, 341 U.S. 223 (1951). The only thing to add to our dismissal briefing, D9oc. 43 at 45–50, is that we have established a record

about the lengths to which the Secretary of State, the AG, and the AOC has gone over the years to give definition to this phrase. *See* Ex. A, Declaration of Ed Packard ¶ 4 & exh. 1; Ex. B, Declaration of Clay Helms ¶ 9 & exh. 4–5. Even if the Supreme Court had not already addressed this exact phrase, these definitions themselves would undermine the claim. *See Thiess*, 387 F. Supp. at 1043 (rejecting similar vagueness claim against felon disenfranchisement law "in view of the currently existing 'laundry list' of crimes issued by the Attorney General").

This claim is also moot in light of the new law, which provides certainty about the meaning of "moral turpitude."

4. The distinction based on "moral turpitude" is rational and non-arbitrary (Count 6 & Count 10).

Plaintiffs' equal protection claims for irrationality and lack of uniformity in Count 6 and Count 10 have gotten even weaker on their motion for a preliminary injunction than they were at the motion to dismiss stage. On behalf of all felons in Count 10, the Complaint argues that the law "irrationally disenfranchises an arbitrary set of Alabama citizens," "cannot withstand even rational basis scrutiny," and is "not uniform across the state." Doc. 1 ¶¶ 228, 229. Similarly, on behalf of felons who are eligible to vote in Count 6, the Complaint alleges that the law is unconstitutional because a registrar might "improperly determine[] that a voter applicant's crime is disqualifying." Doc. 1 ¶202.

Two quick legal points that are discussed in more detail in our motion to dismiss. Doc. 43 at 50–54. First, the old Fifth Circuit, in a case that is binding on this Court, *Bonner v. City of Prichard*, 661 F.2d 1206, 1207 (11th Cir. 1981) (en banc), held that there is no heightened review of a State's decision to disenfranchise some felons and not others. Instead, the "selective disenfranchisement or reenfranchisement of convicted felons must pass the standard level of scrutiny applied to state laws . . . a rational relationship to the achieving of a legitimate state interest." *Shepherd*, 575 F.2d at 1114–15. Second, as this Court has explained quoting Eleventh Circuit caselaw, "'absent proof that defendant[ ] acted with discriminatory intent,' there can be no equal protection violation where the theory is that the defendant unequally administered a facially neutral law." *Hope For Families & Cmty. Serv., Inc. v. Warren*, 721 F. Supp. 2d 1079, 1156–57 (M.D. Ala. 2010).

Far from intentional discrimination, we now have a record that state officers have been conscientiously working to apply the old disenfranchisement regime in a uniform manner. As noted above, the registrars were guided in applying the moral turpitude provision by: (1) the specific crimes identified in an Alabama statute, ALA. CODE § 15-22-36.1 (g), (2) the general principles, such as fraud and *malum in se*, and specific crimes identified in an Attorney General's opinion, 2005 WL 1121853, and provided by the Administrative Office of Courts, and (4) a substantial body of

case law from the Alabama and federal courts. The Secretary of State's office also has given individualized guidance over the phone and has published a handbook for registrars to use. Ex. A, Declaration of Ed Packard ¶¶ 3–4 & exh. 1.

No doubt, the plaintiffs can point to anecdotal evidence of inconsistencies and errors under Alabama's old system. But perfection is not the constitutional standard. If it were, no state or federal law would be constitutional as all such laws vest individual government officers with discretion about how they should be implemented. For its part, Alabama law provides the only kind of mechanism that can reasonably ensure practical uniformity: the right to appeal to a higher tribunal, which issues decisions that are binding on all lower officers. ALA. CODE § 17-3-55.

Finally, these claims suffer from mootness problems. Even the plaintiffs would have to admit that, going forward, HB 282 means that registrars will be much less likely to err.

III. The lack of irreparable injury, balance of the equities, and public interest require denying the motion.

The balance of the equities also favors denying the motion for a preliminary injunction. The plaintiffs have asked this Court to order the Secretary of State to do several things, which fall into five categories: (1) change voter forms to list the crimes from HB 282 (2) inclusion of HB 282 on a website (3) individualized notice and reinstatement of felons who have been removed from voter lists or denied

registration (4) mandatory training for registrars and (5) a "public education plan."[2] Even if the plaintiffs had meritorious claims about the constitutionality of the old regime, the balance of the equities would outweigh granting this relief.

A. Plaintiffs' requested relief is not necessary to eliminate any irreparable injury but will irreparably injure the defendants and the public interest.

A preliminary injunction in this case will not prevent any irreparable injury to the plaintiffs, but it will irreparably injure the defendants and harm the public interest.

Plaintiffs are not at risk of irreparable injury. The plaintiffs claim irreparable injury because the "denial or abridgment of the right to vote is always an irreparable injury." Doc. 56 at 27. But the plaintiffs are seeking an injunction on behalf of voters *who are eligible to vote*. *See* Doc. 56 at 8 ("This motion for a preliminary injunction seeks relief solely for those voters whose voting rights under Section 177 of the Constitution have been affirmed by HB 282 . . . ."). No one is trying to stop HB 282 voters from voting. *See* Ex. B, Declaration of Clay Helms ¶ 7–8; Ex. E, Declaration of George Noblin ¶ 4. There is also no class of HB 282 voters at issue here.[3]

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[2] The plaintiffs' motion also requested a list of previously disqualified or denied felons. The defendants' counsel provided a list of approximately 60,000 names, addresses, etc. to plaintiff's counsel on July 18. That request, we assume, is moot.

[3] The complaint does not ask the Court to certify a class of HB 282 voters. Plaintiff Atoine Giles is the only named plaintiff who is also an alleged "HB 282 voter."

Plaintiffs' real asserted injury is not that felons' right to vote will be denied, but that felons do not know about HB 282. *See* Doc. 56 at 14–15. But, insofar as we are aware, no court anywhere has held lack of knowledge of the law amounts to irreparable injury. Instead, the common rule is that "everyone is presumed to know the law, and is bound to take notice of it." *Meacham v. Halley*, 103 F.2d 967, 972 (5th Cir. 1939). As the Supreme Court has explained, this rule is "deeply rooted in the American legal system." *Cheek v. United States*, 498 U.S. 192, 199 (1991). Indeed, courts routinely invoke this principle to bar pro se litigants, even though such litigants indisputably do not know or understand the law. *See, e.g.*, *United States v. Sosa*, 364 F.3d 507, 512 (4th Cir. 2004) (pro se status and ignorance of the law do not justify equitable tolling in habeas); *Kreutzer v. Bowersox*, 231 F.3d 460, 463 (8th Cir. 2000) (same). The plaintiffs cannot establish irreparable injury by way of showing that felons do not know about or understand HB 282.

The defendants, on the other hand, will suffer a clear and definite irreparable injury if a preliminary injunction is granted. "[U]nder our Constitution . . . the States are given the initial task of determining the qualifications of voters." *Storer v. Brown*, 415 U.S. 724, 729–30 (1974). The Constitution also gives state officers

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Plaintiff Giles has alleged that he was disqualified after he was convicted of "stalking in the first degree, a class C felony" under ALA. CODE § 13A-6-90. Doc. 1 at ¶ 42. Plaintiff Laura Corley has alleged that she was convicted of a crime not listed in the new law: "two counts of possession of a controlled substance, class C felonies." Doc. 1 at ¶ 44. But she was told she could vote before she even filed the lawsuit.

express authority to regulate the time, place, and manner of federal elections. U.S. CONST. art. I, § 4, cl. 1. For these reasons, the Seventh Circuit in *Ass'n of Cmty. Orgs. for Reform Now (ACORN) v. Edgar*, 56 F.3d 791, 798 (7th Cir. 1995), reversed a district court that had enjoined state officers to take a series of specific steps to implement the federal "motor voter" law. The Court reasoned that such an order "failed to exhibit an adequate sensitivity to the principle of federalism:"

> The value of decentralized government is recognized more clearly today than it has been for decades. This recognition, born of experience, enables us (and not only us) to see that federal judicial decrees that bristle with interpretive difficulties and invite protracted federal judicial supervision of functions that the Constitution assigns to state and local government are to be reserved for extreme cases of demonstrated noncompliance with milder measures. They are last resorts, not first.

Id. The plaintiffs' proposal in this case is even worse because it would require this court to supervise the implementation *of a state law*, not a federal law. It is "difficult to think of a greater intrusion on state sovereignty than when a federal court instructs state officials on how to conform their conduct to state law." *Pennhurst*, 465 U.S. at 106.

Courts routinely hold that, even when a federal court concludes that a state has violated federal law, it should defer to the state's own proposed remedies. "It is now established beyond challenge that upon finding a particular standard, practice, or procedure to be contrary to either a federal constitutional or statutory requirement, the federal court must grant the appropriate state or local authorities an opportunity

to correct the deficiencies." *Chisom v. Roemer*, 853 F.2d 1186, 1192 (5th Cir. 1988). This grace period and deference is common in redistricting cases,[4] but "this rule of judicial deference to legislative judgment" extends to other cases as well. *Miss. State Chapter, Operation Push, Inc. v. Mabus*, 932 F.2d 400, 407 (5th Cir. 1991).

Assuming for the sake of argument that the plaintiffs had a likelihood of success on the merits of their claims, this case would be on all fours with the Fifth Circuit's decision in *Mabus*. There, a district court concluded that Mississippi's voter registration system violated Section 2 of the Voting Rights Act, but the district court did not adopt its own remedy. Instead, the district court "properly deferred to the Mississippi Legislature in the first instance to remedy the existing violations." *Id.* at 405. As in this case, the plaintiffs argued that the State's proposed fix did not go far enough. But the district court rejected the plaintiffs' arguments.

The Fifth Circuit affirmed the district court in *Mabus* for three reasons that apply here as well. First, the court explained that "[v]oter registration . . . is a function over which state legislatures should have primary jurisdiction." *Id.* at 409. In this area, the Fifth Circuit reasoned, a State should be allowed to make a "reasonable choice[]" between a narrower or broader remedy. Second, the court explained that the State's proposed remedy "reasonably accommodates the relief

[4] *See Wise v. Lipscomb*, 437 U.S. 535, 540 (1978); *see also Tallahassee Branch of NAACP v. Leon Cty.*, 827 F.2d 1436, 1438 (11th Cir. 1987).

[the plaintiffs'] requested" in the complaint. *Id.* at 407. The court explained that, as in this case, the plaintiffs in *Mabus* "did not explicitly request" specific types of relief—"mail-in registration, agency-based registration, or election day registration"—until *after* the State had already changed the law. *Id.* Third, the Fifth Circuit held that the plaintiffs' criticisms of the state's remedy were "premature" because the state had not yet implemented its new law. *Id.* The court explained that, if the state did not fully solve the voting rights problem after implementing the new law, nothing prevented the plaintiffs from "bringing a future challenge." *Id.*

Finally, the public interest weighs heavily against an injunction. Although the plaintiffs purport to care about the right to vote, they ignore the hundreds of thousands of Alabamians who voted for John Merrill to implement election laws, not them. The reason the Framers of our Constitution put state officers in charge of federal elections is that they surmised state control would "be both more convenient and more satisfactory" than federal control. THE FEDERALIST No. 59, p. 360 (C. Rossiter ed. 1961) (A. Hamilton). As Madison explained in defense of the Elections Clause at the Virginia Convention, "[i]t was found necessary to leave the regulation of [federal elections], in the first place, to the state governments, as being best acquainted with the situation of the people." 3 Records of the Federal Convention of 1787, p. 312 (M. Farrand ed. 1911). The person who is "best acquainted with the

situation of the people" in this case is John Merrill—his staff drafted this law, convinced the Legislature to enact the law, and is actively implementing this law.

Moreover, an injunction this close to an election could irreparably injure the State's election system more generally. *See Amarasinghe v. Quinn*, 148 F. Supp. 2d 630, 634 (E.D. Va. 2001); *Simpson v. City of Hampton*, 919 F. Supp. 212, 215 (E.D. Va. 1996). Major changes 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 plaintiffs have argued elsewhere that this principle does not apply because their motion is intended to eliminate confusion, Doc. 59 at 5, but their good intentions are irrelevant. The plaintiffs are requesting a mass mailing to thousands of people, a radical re-write of the State's voter registration forms, a meeting of 200 registrars for training on a single piece of legislation, and a hasty state-wide media blitz. *See* Doc. 56 at 8–9. There is a clearly a substantial risk of confusion if all of this happens on the eve of an election. *See* Ex. A, Declaration of Ed Packard ¶¶ 10–11; Ex. B, Declaration of Clay Helms at ¶ 15; Ex. C, Declaration of Brent Beal ¶ 8. Not to mention the fact that the State's election resources need to be spent conducting the actual election.

B. The items on plaintiffs' list either have already been done, are being done, or are not reasonably doable.

The equities also weigh against an injunction because the Secretary and others in state government are actively implementing the new law. In their motion, the plaintiffs asserted that "Defendants have refused to take *any* meaningful action to implement HB 282." Doc. 56 at 2. A more accurate statement would be: the defendants are implementing HB 282 by wisely using state resources as the people of Alabama expect, not as the plaintiffs demand.

Below, we address each element of the plaintiffs' requested injunction.

1. Changing voter forms to list the crimes from HB 282

Plaintiffs argue that the Court should order the Secretary of State to change the voter registration forms to include a list of the 60 specific felonies in HB 282. Doc. 56 at 9. There are several reasons the equities weigh against that.

First, although the Secretary has added a hyperlink to the list of felonies in HB 282 to the electronic voter registration form, Ex. B, Declaration of Clay Helms at ¶ 13 & exh. 11, his staff believe it would be impractical and confusing to add a list of 60 specific felonies to the hard copy forms, *see* Ex. A, Declaration of Ed Packard ¶ 13; Ex. B, Declaration of Clay Helms ¶ 14; Ex. C, Declaration of Brent Beal ¶ 8. It would require a complete overhaul of the existing forms to find space to add 60 felonies. *See* Ex. A, Declaration of Ed Packard ¶ 13. And, because the Secretary distributes these forms so widely, collecting old forms and changing to

new ones would be a long process. *See* Ex. A, Declaration of Ed Packard ¶ 13. On the other hand, and as explained above, felons who erroneously believe they are eligible to vote do not face any consequence if they fill out a form and turn out to be wrong. Ex. A, Declaration of Ed Packard ¶ 15; Ex. E, Declaration of George Noblin ¶ 5; Ex. G, Declaration of James Donald Milligan ¶ 3.

Alabama's current form—addressed to disqualifying felonies—is no more vague or indeterminate than similar voter registration forms in other States. Georgia's form requires applicants to swear or affirm that they are "not serving a sentence for having been convicted of a felony involving moral turpitude." *See* Ex. F., Declaration of Angelique Pugh ¶ 16 & exh. 8. Missouri's form requires applicants to swear or affirm that they have not "been convicted of a felony or misdemeanor *connected with the right of suffrage*." *See* Ex. F, Declaration of Angelique Pugh ¶ 17 & exh. 8. Nevada requires applicants to swear or affirm that they are "not laboring under any felony conviction *or other loss of civil rights* that would make it unlawful for me to vote." *See* Ex. F, Declaration of Angelique Pugh ¶ 18 & exh. 8. The changes that plaintiffs suggest would make Alabama an outlier.

Moreover, if the Secretary of State were going to include this information on a form, it would have to be both incredibly specific and, at the same time, incomplete. For example, it would not work to list "burglary" as a crime of moral turpitude. The new law makes only first- and second-degree burglary a disqualifying

crime, not third-degree burglary. So any list would have to specify each crime with a statutory citation. But, at the same time, corresponding federal and out-of-state offenses are still disqualifying; there is obviously no way to list all of those. So any list would still be incomplete.

Second, in addition to all of the above, the Secretary has even more reasons not to rush to suggest that the EAC add 60 felonies to the federal form's state-specific instructions. The last time the Secretary of State tried to get the EAC to change Alabama's state-specific instructions on that form, it took the EAC over two years to respond to the Secretary's request. *See* Ex. A, Declaration of Ed Packard ¶ 12 & exh. 4. And, even now, the EAC's form bizarrely reflects that Alabama's state-specific instructions have not been changed since 2006. *See* Ex. B, Declaration of Clay Helms ¶ 5 & exh. 3. For the last month, the Secretary's staff has been calling and emailing the EAC to get it to change a single word in the instructions—a word the EAC said it would change last year in response to the Secretary's request to make the change two years earlier. *See* Ex. B, Declaration of Clay Helms ¶¶ 5, 14. But, as of this filing, the EAC has still not made that simple change. Based on this experience, the Secretary's staff reasonably believes that a request to the EAC to add a list of 60 felonies would go nowhere.

2. The inclusion of HB 282 on a website and a "public education plan"

The plaintiffs also request that the Court order the defendants to include HB 282 on a website and draft a "public education plan." Doc. 56 at 9. The equities outweigh granting this relief for two reasons.

First, a plan for more websites or advertising about the law is not necessary to prevent an irreparable injury. The Secretary and the Board of Pardons and Parole are working with the ACLU and Legal Services to raise awareness about the new law. Ex. C, Declaration of Brent Beal ¶¶ 4–5; Ex. D, Declaration of Phil Bryant ¶¶ 4 and 6–7. The ACLU has an extensive website on the new law. Ex. C, Declaration of Brent Beal ¶ 6; Ex. F, Declaration of Angelique Pugh ¶¶ 3–4 & exh. 1. These groups are running clinics where individual felons can learn whether they are eligible to vote, and they are actively promoting the new law on social media and elsewhere. Ex. C, Declaration of Brent Beal ¶ 56; Ex. D, Declaration of Phil Bryant ¶ 7; Ex. F, Declaration of Angelique Pugh ¶¶ 3–11 & exhs. 1–6. As reflected in Exhibits 1–6 and 9–12 to the declaration of Angelique Pugh which is itself attached as Exhibit F, the news media has covered the new law extensively—on TV, in national newspapers, and in local newspapers. It is at the top of various google searches. Ex. F, Declaration of Angelique Pugh ¶¶ 12–14 & exh. 7.

Second, the defendants are promoting the new law. The attached declaration from the head of Pardons and Paroles explains that they are working to modify all

of their communications to reflect the new law. Ex. D, Declaration of Phil Bryant ¶¶ 3–6. They maintain a current website about felon voting, on which they have placed a notice about the new law. *See* Ex. D, Declaration of Phil Bryant ¶ 5 & exh. B. And they are working to change that website going forward so that it comprehensively addresses the new law. *See* Ex. D, Declaration of Phil Bryant ¶ 5. For his part, the Secretary has done media interviews on the law, plans to hold a press conference with legislators who worked on the new law, and has modified the electronic voter registration form on his website to include the list of felonies in the new law. *See* Ex. B, Declaration of Clay Helms ¶ 13 & exh. 7; Ex. C, Declaration of Brent Beal ¶ 3. Pardons and Paroles and the Secretary have sent staff to participate in the ACLU's and Legal Services' efforts. *See* Ex. C, Declaration of Brent Beal ¶¶ 4–5; Ex. D, Declaration of Phil Bryant ¶ 7. The defendants are doing plenty to educate the public about the new law.

3. Individualized notice to, and reinstatement of, felons who are eligible to vote under HB 282.

The equities clearly outweigh requiring the Secretary to provide individualized notice to felons who have previously attempted to register to vote. This is for three reasons.

First, this requested relief is based on the plaintiffs' fundamental misunderstanding of the new law. In the plaintiffs' view, HB 282 has always been the law even though it has an August 1 effective date and lacks a retroactivity clause.

The plaintiffs wrongly believe that voters who were disqualified prior to HB 282, but can vote under HB 282, were *erroneously* disqualified under prior state law. The plaintiffs assert that such "HB 282 voters" were "previously misinformed of their right" to vote. Doc. 56 at 8–9. According to plaintiffs, these voters are "voters whose registration applications were wrongfully denied or who were wrongfully struck from the voter registration rolls in the last two years, and whose eligibility was affirmed by HB 282." Doc. 56 at 9.

Plaintiffs' reasoning makes no sense. HB 282 changed the law in Alabama; it did not "affirm" some preexisting voter eligibility. In the same way that Congress may clarify federal common law, or reverse it for that matter, the Legislature changed the definition of moral turpitude from the way it had developed in the Alabama courts. The Alabama Legislature has the power to set qualifications for registering to vote, ALA. CONST. amend 579, and to "classify crimes," *Gholston v. State*, 338 So. 2d 454, 460 (Ala. Crim. App. 1976). It exercised those powers in HB 282. But it expressly did so *prospectively*.

Because Plaintiffs fundamentally misunderstand HB 282, they support their request for individual notice with inapposite cases. Specifically, Plaintiffs cite to cases in which people were wrongfully removed from a voting list *under statutes*

that applied at the time they were removed.[5] But this case is about a change in state law that has made eligible previously ineligible voters. If the plaintiffs believe that a particular voter was "wrongfully denied" or "wrongfully struck from the voter registration rolls" under the former state law, then that individual needs to sue in state court over that mistake of state law. That is the exact relief that has been requested in other state court cases on this issue. *See Chapman v. Gooden*, 974 So.2d 972 (Ala. 2010). The plaintiffs cannot seek "tailored relief based on governing state law," Doc. 59 at 3–4, from this federal court, *see Pennhurst State Sch. & Hosp. v. Halderman*, 465 U.S. 89, 106 (1984).

Second, on top of the plaintiffs' misunderstanding of HB 282, individualized notice and reinstatement is deeply impractical. *See Lemon v. Kurtzman*, 411 U.S. 192, 201 (1973) ("[I]n equity, as nowhere else, courts eschew rigid absolutes and look to the practical realities."). As explained by the Secretary of State's employees, the list of approximately 60,000 felons who have been disqualified extends back many years because there is no field in the database for year of disqualification. Ex.

[5] Plaintiffs cite the following cases: *N.C. St. Conf. of the NAACP v. N.C. St. Bd. of Elections*, No. 1:16-cv-1274, 2016 WL 6581284 (M.D.N.C. Nov. 4, 2016) (reinstatement, but not individualized notice, where board purged voters in violation of the NVRA); *U.S. Student Ass'n Found. v. Land*, 585 F. Supp. 2d 925 (E.D. Mich. 2008) (registrations denied in violation of the NVRA); *Ga. St. Conf. of the NAACP v. Hancock Cnty. Bd. of Elections*, No. 5:15-cv-414-CAR (M.D. Ga. Mar. 1, 2017) (state agreed to reinstate voters erroneously denied under NVRA); *Screen v. Bankston*, 498 So. 2d 770 (La. Ct. App. 1986) (reinstatement when registration erroneously denied under existing state law);

A, Declaration of Ed Packard ¶ 8. When felons are initially informed that they are disqualified, certified mail is returned as undeliverable at a rate of 50%. Ex. A, Declaration of Ed Packard ¶ 9. And even when active registered voters are contacted by mail at their address of registration, mail is returned as undeliverable about 12% of the time. Ex. A, Declaration of Ed Packard ¶ 9. Given that the addresses on file for this group of felons are old and have not been updated, we can expect most mailings to be undeliverable. Ex. A, Declaration of Ed Packard ¶ 9.

Moreover, there is no list of HB 282 felons. The Secretary of State's information about disqualified felons does not, in the usual case, identify why that person was disqualified. Ex. A, Declaration of Ed Packard ¶ 10. There is no searchable field to identify persons whose crimes are not on HB 282's list. Ex. A, Declaration of Ed Packard ¶ 10. And, of course, no one knows whether a particular person has committed additional felonies that would also disqualify him. Ex. A, Declaration of Ed Packard ¶ 10. There may even be people on the Secretary's list who are actively seeking to have their rights restored or who recently had them restored. Ex. A, Declaration of Ed Packard ¶ 11.

Third, because the Secretary has no list of HB 282 felons, any mailing or attempt at individualized reinstatement will do more harm than good. The plaintiffs complain about a purported state of confusion among felons about whether they are eligible to vote. *See, e.g.*, Doc. 56 at 15. Imagine the confusion that would result if

the Secretary were to mail letters to thousands of felons informing them that they might be able to register under a new law, only to have those felons attempt to register and find out they cannot.

The plaintiffs cannot rely on *Hobson v. Pow*, 434 F. Supp. 362, 364 (N.D. Ala. 1977), to support their claim for individualized notice. In that case from 40 years ago, a court enjoined the State from disenfranchising men convicted of assaulting their wives and ordered registrars to "*either* publish the notice [of the court's order] *or* send notice to each person purged by first-class mail." *Id.* (emphasis added). But that was a case where felons secured the right to vote *through litigation*; it made sense for the court to inform them of its decision. This is a case in which the State changed the law *through legislation*, something that all men are presumed to know. *See Meacham v. Halley*, 103 F.2d 967, 972 (5th Cir. 1939) ("[E]veryone is presumed to know the law, and is bound to take notice of it."). *Hobson* was a case where a discrete group of felons argued that it was unconstitutional to disqualify them in particular; there is no claim by "HB 282 voters" in this case, and, if there were, that claim would be one under state law. Unlike *Hobson*, there is also no claim in this case that a group of felons were discriminated against; instead, the claims at issue here are about the purported lack of uniformity in the state's old system, which, if true, would have led to erroneously *allowing* felons to vote in addition to erroneously *barring* them from voting. Finally,

the court in *Hobson* ordered only those counties with records of disqualifying men for assaulting their wives to provide notice; the Secretary of State has no comparable records because there is no list of HB 282 voters.[6] Ex. A, Declaration of Ed Packard ¶ 10. The balance of the equities does not support individualized notice here.

4. Mandatory training for registrars

Lastly, the Court should not order mandatory training for registrars. There are more than 200 registrars in Alabama (1 in Jefferson County and 3 or 4 in each of the remaining 66 counties), and many of these Boards have staff as well. Expedited training for such a large group of people who live dispersed throughout Alabama is plainly impracticable. Moreover, registrars are already using HB 282 to determine whether new registrants who have committed felonies are qualified to vote in the August 15 primary election. *See* Ex. E, Declaration of George Noblin ¶¶ 3–4. In June, Secretary Merrill personally gave a presentation on the legislation to the state association of registrars at a conference, and his staff distributed a modified registrars' handbook to incorporate the legislation. Ex. B, Declaration of Clay Helms ¶ 9 & exh. 5. The Secretary of State's Office has executed a contract with Auburn University to provide a structured training program for registrars about a

[6] It's also worth pointing out that the court ordered notice to the class only as part of a *final* order. The court's earlier injunction in *Hobson* merely directed the defendants to stop enforcing the objectional law. *Hobson v. Pow*, 434 F. Supp. at 364 & n.2.

variety of subjects, including felon disenfranchisement and the definition of moral turpitude. Ex. B, Declaration of Clay Helms ¶ 12. The earlier courses in the program (which do not cover felon disenfranchisement) have already started being offered in different locales around the state, and the later courses (which do cover felon disenfranchisement) are next. Ex. B, Declaration of Clay Helms ¶ 12 & exh. 6. And there is no need for expedited training because the new law (for the most part) eliminates registrars' discretion. The only training needed to implement the new law would be to tell registrars to use the list, which the Secretary has already done.

C. Other factors also weigh against an injunction: the plaintiffs' delay, the request is outside the complaint, and no class certification.

Three other factors also weigh against the plaintiffs here.

First, the plaintiffs waited nine months to file this motion. *Compare* Doc. 1 (complaint filed Sept. 26, 2016) *with* Doc. 56 (preliminary injunction filed June 30, 2017). Under Eleventh Circuit law, "[a] delay in seeking a preliminary injunction of even only a few months—though not necessarily fatal—militates 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). Instead of filing a motion before the November election when multiple federal and state offices were on the ballot, they assert irreparable injury now after: (1) the Legislature has passed legislation that mooted Counts 6 through 10 of their complaint and (2) shortly before registration closes for a single-office special election. If the plaintiffs were really worried about felons being registered to vote, they would have filed a motion for a preliminary injunction much sooner.

The plaintiffs have asserted elsewhere that they could not file their motion until after the Legislature changed the law. Doc. 59 at 3-4. But that makes no sense. That argument suggests that the plaintiffs were perfectly fine as long as the State was enforcing the purportedly unconstitutional regime at the heart of the lawsuit. But, somehow, their damages became irreparable after the State, of its own accord, decided to change that legal regime in precisely the way the plaintiffs' complaint said was necessary. We do not know why the plaintiffs filed their motion when they did, but it was not because HB 282 suddenly caused them irreparable harm.

Second, the plaintiffs' motion seeks a remedy on behalf of a class of HB282 eligible voters—*i.e.*, voters who were ineligible under the former regime but are eligible now. But there is no request for this Court to certify such a class in the complaint or motion. There are other classes alleged in the complaint, but none have

been certified. Preliminary injunctive relief is inappropriate before class certification. *Barker v. Int'l Union of Operating Eng'rs, Local 150, AGL-CIO*, 641 F. Supp. 2d 698, 704 (N.D. Ill. 2009); *cf. Eisen v. Carlisle & Jacquelin*, 417 U.S. 156 (1974) ("We agree with appellants' premise that were we to uphold a preliminary injunction of this scope, we could not do so without first reviewing the propriety of the class certification order."). "In a class action, the claim of the named plaintiff, who seeks to represent the class, must be live both at the time he brings suit and when the district court determines whether to certify the putative class." *Tucker v. Phyfer*, 819 F.2d 1030, 1033 (11th Cir. 1987). Otherwise, "the court lacks a justiciable controversy and must dismiss the claim as moot." *Id.* (citing *Geraghty*, 445 U.S. at 404 & n.11). Moreover, there must be a named plaintiff with standing to raise each claim at the time of certification. *See Prado-Steinman ex rel. Prado v. Bush*, 221 F.3d 1266, 1280 (11th Cir. 2000) (quoting *Griffin v. Dugger*, 823 F.2d 1476, 1483 (11th Cir. 1987)) (internal quotation marks omitted) ("[E]ach claim must be analyzed separately, and a claim cannot be asserted on behalf of a class unless at least one named plaintiff has suffered the injury that gives rise to that claim.").

Third, the Court should not grant a preliminary injunction when it is outside the operative complaint. *See Kaimowitz v. Orlando*, 122 F.3d 41, 43 (11th Cir. 1997) (per curiam), *amended on reh'g on other grounds by* 131 F.3d 950 (11th Cir. 1997) (per curiam). As this Court has explained, "[a] preliminary injunction is not an

appropriate vehicle for trying to obtain relief that is not even sought in the underlying action." *Hammonds v. Jones*, No. 2:15–CV–006–WKW, 2015 WL 790957, at *2 (M.D. Ala. 2015) (report and recommendation) (adopted by Watkins, J.). (quoting *Westbank Yellow Pages v. BRI, Inc.*, No. 96-1128, 1996 WL 255912, at *1 (E.D. La. May 13, 1996)). *See also Carey v. Jones*, No. 2:13–cv–799–TMH, 2014 WL 2767381, at *2 (M.D. Ala. 2014) (report and recommendation) (adopted by Watkins, J.). For that reason, this Court has denied preliminary injunctions "[d]espite a somewhat similar theme regarding the claim raised in the complaint and part of Plaintiff's request for preliminary injunctive relief." *Id.*; *see also Carey v. Jones*, No. 2:13–cv–799–TMH, 2014 WL 2767381, at *2 (M.D. Ala. 2014) (report and recommendation) (adopted by Watkins, J.).

Here, the complaint sought to enjoin the previous moral-turpitude standard as unconstitutional. *See* Doc. 1 at 57. But Plaintiffs no longer "ask this Court to enjoin any state law" in their preliminary-injunction motion. Doc. 56 at 28. Rather they assert "new facts relevant to the passage of HB 282," Doc. 56 at 10 n.2, and ask this Court to order the Secretary to implement that law in a specific manner. In fact, the plaintiffs have effectively conceded that their motion seeks an injunction that is outside the complaint. Doc. 59 at 3–4 (Reply to Defendants' Opposition to Plaintiffs' Motion to Shorten Time) ("While it is true that Plaintiffs could have sought a preliminary injunction based on Counts 6–10 earlier, that would have been a

different motion entirely, seeking much broader relief than the motion presented here, which seeks tailored relief based on governing state law."). Even if the plaintiffs could show a likelihood of success on the merits, the equities would weigh against their requested relief.

CONCLUSION

The Court should DENY the motion for a preliminary injunction.

Respectfully submitted,

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Certificate of Service

I hereby certify that, on July 21 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

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.	)	

DECLARATION OF EDWARD PACKARD

1. My name is Edward Packard. I have been an employee of the Elections Division of the Alabama Secretary of State's Office for approximately 20 years. In 2013, I was promoted to the position of Elections Director. In February 2017, my title changed to Administrator of Elections. I am over the age of 19 and am qualified to give this declaration. The information included in this declaration is based on my personal knowledge and/or my review of the records of the Secretary's Office.

2. There are presently six employees in the Elections Division of the Secretary of State's Office. Approximately 3.2 million people are registered to vote in Alabama.

3. As a long-time employee at the Secretary of State's Office, I am familiar with the history of felon disenfranchisement. In approximately 2006, a judicial decision led the Secretary of State, Administrative Office of the Courts (AOC), and the Attorney General to take actions to ensure that only felons who had committed crimes of "moral turpitude" were disqualified from voting. The AOC and Attorney General created lists of crimes that had been found by Alabama courts to be crimes of "moral turpitude."

4. The Alabama Election Law Handbook is a publication of the Alabama Law Institute, which is widely used by election workers, lawyers, registrars, and campaigns. I have been involved in the preparation and updating of this Handbook over many years. It has incorporated the Attorney General's and AOC's guidance since the Thirteenth edition in 2007. True and accurate copies of portions of the Thirteenth, Fourteenth, Fifteenth, Sixteenth, and Seventeenth Editions of the Election Law Handbook are attached as **Exhibit 1** to this declaration.

5. Over the years, the Secretary of State has also provided individual guidance by phone to registrars about whether a particular crime was disqualifying.

6. Shortly after taking office, Secretary of State John Merrill established the "voter disenfranchisement and restoration of voting rights exploratory committee." I was an ex officio member of that committee. The purpose of the committee was to study ways to modernize Alabama law about felon disenfranchisement and the restoration of voting rights. There are other similar committees in operation, such as the Alabama Board of Registrars Legislation Task Force and the Voter Registration Advisory Board. The committee met three times. True and accurate copies of the minutes of those meetings are attached as **Exhibit 2**.

7. I led a subcommittee of the "voter disenfranchisement and restoration of voting rights exploratory committee" that was tasked with drafting legislation to provide an exclusive list of crimes of moral turpitude. The committee ultimately approved a draft bill that, with a few changes, listed crimes that had already been determined by Alabama courts to be crimes of moral turpitude. That draft bill, with some additional modifications, was unanimously enacted by the Legislature in 2017 as HB 282 and signed by the Governor as Act No. 2017-378. A true and accurate copy of Act No. 2017-378 is attached to this declaration as **Exhibit 3.**

8. The Secretary of State's office has provided to the plaintiffs in this lawsuit a list of names, addresses, and other voter information for approximately 60,000 felons who were removed from voter lists or denied registration. I prepared that list. It is unclear how far back in time the list goes. I can search the Secretary of State's records by date of registration but not the date that someone is removed from the voter list.

9. I understand that the plaintiffs contend that the Secretary of State should mail letters to each person on the list informing that person of HB 282. In my opinion, that would be a waste of state resources. Documents provided by registrars to the "voter disenfranchisement and restoration of voting rights exploratory committee" show that, when registrars send out initial notices to felons that they are being removed from the voting list, approximately 50% are undeliverable or otherwise returned. For example, Carol Hill, a Shelby County registrar who was on the committee, explained to the committee that in 2015 51% of felon notices were returned as unclaimed or undeliverable, in 2014, 46% were returned as unclaimed or undeliverable, and 2013 40% were returned as unclaimed or undeliverable. Compared to these initial mailings, the addresses on the list provided to the plaintiffs are dated and stale. Because these individuals are not active voters, they have not had the opportunity to update their addresses since they have been removed or denied registration. Just a few months ago, the Secretary sent a mailing to currently registered voters; 12% of those were undeliverable, even though those voters are not disqualified felons and were currently registered to vote at the address to which the document was mailed.

10. Moreover, such a mailing would likely cause confusion. Our computer system generally does not identify the felony that a person committed such that they were denied registration, nor do we know whether the prospective voter has committed additional felonies since they were

denied registration or removed from a list. Accordingly, we could not ensure that a mailing about HB 282 would be received by people who can actually register to vote.

11. Our computer system also does not identify whether a person who was denied registration or removed from a voter registration list on the basis of a felony conviction has since had his or her rights restored or have made an application to the Board of Pardons and Paroles to have his or her rights restored. Thus, it is possible that such a mailing would reach people who have had, or are in the process of having, their rights restored.

12. I have handled the design and layout of the state voter registration forms since 1998. I am also familiar with the Office's attempt to change the state-specific instructions on the federal form. The federal Election Assistance Commission ("EAC") maintains a uniform voting registration form with a list of state-specific instructions. In 2014, the Secretary of State advised the EAC to change Alabama's state-specific instructions on the federal voter registration form to be consistent with changes in state law. The EAC responded to the Secretary's letter approximately two years later. True and accurate copies of the Secretary's and EAC's correspondence are attached as **Exhibit 4**.

13. I understand that the plaintiffs in this lawsuit believe that the state and federal registration forms should be changed to specifically list the approximately 60 specific felonies in HB 282. In my opinion, such a change is impractical and will be confusing to voters. There is no space on the front of any hardcopy state form to list 60 felonies. There is also no room on the back of the state mail-in hardcopy form because the back contains important information about where the form must be mailed. Including this information will defeat the purpose of having a single-page form that is easy to fill out and mail. Including this information on some versions of the form, but not others, will create inconsistency between the various registration forms our office distributes.

14. It would be especially disruptive to attempt to change these forms before the August 15 election. Such a change would require that already-distributed forms be collected and destroyed in all of Alabama's 67 counties and state agencies. That would be impossible to do, especially on an expedited schedule. In my experience, when we have changed the voter registration forms in the past and asked the agencies to use the new forms, we have continued to receive the old forms two to three years later. Additionally, the Secretary of State's office widely distributes these voter registration forms to private groups, such as the League of Women Voters, and would be unable to collect and destroy all such forms.

15. Felons are not prejudiced by the fact that specific disqualifying crimes are not listed on the form. Registrars often receive registration forms with incomplete or inaccurate information. When a person attempts to register to vote and incorrectly states that he or she has not been convicted of a disqualifying felony, the registrar simply denies that person's registration. I am not aware of any registrar ever referring such a person for prosecution.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on July 19, 2017.

Edward Packard

EXHIBIT 1

Alabama Election Handbook

Thirteenth Edition



ALABAMA LAW INSTITUTE

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Library of Congress Catalog Card Number
2001-133213

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requirement that is imposed, except that the municipal elections laws now require a 30-day period of residence as a qualification for voting in municipal elections. The voter in a municipal election, like all voters, is required to register more than 10 days prior to the election. §§ 11-46-38, 11-46-109, 17-3-50.

Individuals declared mentally incompetent by a court of proper jurisdiction and persons convicted of felony offenses involving moral turpitude are disqualified from registering and voting. Alabama Constitution Art. VIII, § 177 and § 182; Att. Gen. Op. 2005-92 (Hon. William C. Segrest).

Applicants to register to vote were formerly required to fill out, in the presence of the board and without assistance; however, this provision was invalidated under the Voting Rights Act as a form of literacy requirement. The 1975 Alabama Code substituted for a written application which shall be uniform in all cases. The form and contents of the application shall be promulgated by rule by the Secretary of State. § 17-3-52. As a result of these developments, registration for voting is now a much simpler process than it once was.

Restoration of Voting Rights of a Convicted Felon

The law governing the restoration of voting rights was amended in the Second Special Session of the Legislature in 2003. Under the 2003 amendment, persons convicted of a felony offense involving moral turpitude may have their voting rights restored by making application to the State Board of Pardons and Paroles. The Board of Pardons and Paroles shall grant a "Certificate of Eligibility to Register to Vote" to any convicted felon who has completed the terms of the sentence for the conviction and who no longer has other felony charges pending against him or her. § 15-22-36.1. However, one convicted of any one of fifteen crimes listed in the act is not eligible for restoration of voting rights. § 15-22-36.1

Section 15-22-36.1 of the Code of Alabama 1975 outlines who is

eligible to receive a certificate of eligibility to register to vote. The Alabama Board of Pardons and Paroles began issuing these certificates in October 2003 using the following guidelines:

1. Process for Issuing a Certificate of Eligibility

(1) A person may apply by one of the following three methods: Going to the State Pardon and Parole office nearest to where he lives, calling the Pardon Unit at one of the following numbers: (334) 353-7325; (334) 242-8730; (334) 242-8751 OR contacting the Board of Pardons and Paroles in writing at P.O. Box 302405, Montgomery, AL 36130-2405. The request should include all of the following information:

(a) Name under which convicted;
(b) True name;
(c) Sex and race;
(d) Date of birth;
(e) Social Security number
(f) AIS# (Alabama Prison number), if you have one
(g) Current physical address including county
(h) Current mailing address, if different
(I) Indicate if the conviction was a State or Federal Conviction;
(j) Home telephone number
(k) Complete list of charges, county & year of conviction

(2) Once the application is received the investigation is assigned to the State Pardon & Parol office nearest to where the applicant lives. The officer runs a criminal history to determine what disqualifying convictions need to be included. The officer then verifies the applicant meets the eligibility requirements.

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(3) If the applicant meets the requirements, a checklist is submitted to a senior officer in the pardon unit at the Board of Pardons and Paroles.

(4) A senior officer reviews the checklist and prepares it for board review. The file is submitted to the board for a period of 5 days. During this 5 day period, the board can object if they determine the eligibility requirements have not been met. If an objection occurs the board will hear the matter at the next hearing docket.

(5) If there are no objections by the board, a certificate is issued and signed by the Director of the Board of Pardons and Paroles.

NOTE: The time frame for a certificate of eligibility is 45 days.

2. Eligibility Requirements for Restoration of Voting Rights

(1) The applicant cannot have a conviction for one of the following :

Impeachment, treason, murder, rape (any degree), sodomy (any degree), sexual abuse (any degree), incest, sexual torture, enticing a child to enter a vehicle for immoral purposes, soliciting a child by computer, production of obscene matter involving a minor, production of obscene matter, parents or guardians permitting children to engage in obscene matter, possession of obscene matter, or possession with intent to distribute child pornography.

(2) The applicant cannot have any felony charges pending against him.

(3) The applicant must have finished his sentence and not be under probation or parole supervision.

(4) The applicant must not owe any court ordered monies on his disqualifying cases or supervision fees.

NOTE: The board can issue a certificate for Alabama residents with state convictions from Alabama or federal convictions from Alabama or other states as long as the requirements are met and verified.

3. Persons Who Have Not Lost Their Voting Rights by a Conviction.

(1) People who only have youthful offender adjudications
(2) People who only have misdemeanor convictions
(3) People who were charged with a felony that was nol prossed or dismissed
(4) People who only have juvenile convictions
(5) People who have a felony conviction that did not involve moral turpitude (see following section below for list disqualifying offenses.

List of Disqualifying Felony Convictions

As of November 8, 2007, the Administrative Office of Courts has compiled the following list of disqualifying felonies involving moral turpitude the conviction of which would disqualify and disenfranchise state citizens of their right to vote under Amendment 579 of the Alabama Constitution:

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Code	Code section
HOMI	014-314-
CM01	13A-005-040(A)
CM10	13A-005-040(A)
CM11	13A-005-040(A)
CM12	13A-005-040(A)
CM13	13A-005-040(A)
CM14	13A-005-040(A)
CM15	13A-005-040(A)
CM16	13A-005-040(A)
CM17	13A-005-040(A)
CM18	13A-005-040(A)
CM02	13A-005-040(A)
CM03	13A-005-040(A)
CM04	13A-005-040(A)
CM05	13A-005-040(A)
CM06	13A-005-040(A)
CM07	13A-005-040(A)
CM08	13A-005-040(A)
CM09	13A-005-040(A)
MURD	13A-006-002
MURR	13A-006-002(A)
FMUR	13A-006-002(A)
MANS	13A-006-003
JJJ1	13A-006-020
ASL1	13A-006-020(A)
ASS2	13A-006-021
RAP1	13A-006-061
RAP2	13A-006-062
SOD1	13A-006-063
SOD2	13A-006-064
STSA	13A-006-065.1
SXA1	13A-006-066
SX2F	13A-006-067
ECHI	13A-006-069
SX12	13A-006-069.1
SCBC	13A-006-110
BUR1	13A-007-005
BUR2	13A-007-006
BUR3	13A-007-007
TFT1	13A-008-003
TOD1	13A-008-003
TOP1	13A-008-003
TPC1	13A-008-003
TFT2	13A-008-004
TOD2	13A-008-004
TOP2	13A-008-004
TPC2	13A-008-004
TLP1	13A-008-007
TLP2	13A-008-008
TTTS	13A-008-010.4
VIDE	13A-008-010.4
ROB1	13A-008-041
ROB2	13A-008-042
ROB3	13A-008-043
FOR1	13A-009-002
FOR2	13A-009-003
TREA	13A-011-002

Alabama felony offenses which have been declared or determined by an Alabama appellate court, a state statute or an Attorney General's opinion to "involve moral turpitude"

Code	Code section	Class	Category	Common Name
HOMI	014-314-	A	PE	MURDER (OLD CODE)
CM01	13A-005-040(A)(1)	U	PE	MURDER CAPITAL-KIDNAP
CM10	13A-005-040(A)(10)	U	PE	MURDER CAPITAL-TWO OR MORE PER
CM11	13A-005-040(A)(11)	U	PE	MURDER CAPITAL-PUBLIC OFFICIAL
CM12	13A-005-040(A)(12)	U	PE	MURDER CAPITAL-AIRPLANE HIJACK
CM13	13A-005-040(A)(13)	U	PE	MURDER CAPITAL-20YR PRIOR CON
CM14	13A-005-040(A)(14)	U	PE	MURDER CAPITAL-WITNESS
CM15	13A-005-040(A)(15)	U	PE	MURDER CAPITAL-UNDER 14 YEARS
CM16	13A-005-040(A)(16)	U	PE	MURDER CAPITAL-DWELL FR OUTSID
CM17	13A-005-040(A)(17)	U	PE	MURDER CAPITAL-VEH FR OUTSIDE
CM18	13A-005-040(A)(18)	U	PE	MURDER CAPITAL-FIRED FROM VEHI
CM02	13A-005-040(A)(2)	U	PE	MURDER CAPITAL-ROBBERY
CM03	13A-005-040(A)(3)	U	PE	MURDER CAPITAL-RAPE/SODOMY
CM04	13A-005-040(A)(4)	U	PE	MURDER CAPITAL-BURGLARY
CM05	13A-005-040(A)(5)	U	PE	MURDER CAPITAL-LAW OFF/GUARD
CM06	13A-005-040(A)(6)	U	PE	MURDER CAPITAL-LIFE SENTENCE
CM07	13A-005-040(A)(7)	U	PE	MURDER CAPITAL-FOR HIRE
CM08	13A-005-040(A)(8)	U	PE	MURDER CAPITAL-SEXUAL ABUSE
CM09	13A-005-040(A)(9)	U	PE	MURDER CAPITAL-ARSON
MURD	13A-006-002	A	PE	MURDER
MURR	13A-006-002(A)(2)	A	PE	MURDER-RECKLESS/VEHICLE
FMUR	13A-006-002(A)(3)	A	PE	FELONY MURDER
MANS	13A-006-003	B	PE	MANSLAUGHTER
JJJ1	13A-006-020	B	PE	ASSAULT 1ST DEGREE
ASL1	13A-006-020(A)5	B	PE	ASSAULT 1ST DEGREE (LIQUOR)
ASS2	13A-006-021	C	PE	ASSAULT 2ND DEGREE
RAP1	13A-006-061	A	SX	RAPE 1ST DEGREE
RAP2	13A-006-062	B	SX	RAPE 2ND DEGREE
SOD1	13A-006-063	A	SX	SODOMY 1ST DEGREE
SOD2	13A-006-064	B	SX	SODOMY 2ND DEGREE
STSA	13A-006-065.1	A	SX	SEXUAL TORTURE/ABUSE
SXA1	13A-006-066	C	SX	SEXUAL ABUSE 1ST
SX2F	13A-006-067	C	SX	SEXUAL ABUSE 2ND DEGREE
ECHI	13A-006-069	C	SX	ENTICING CHILD TO ENTER
SX12	13A-006-069.1	B	PE	SEX ABUSE-CHILD LESS 12 YOA
SCBC	13A-006-110	B	PE	SOLICITATION OF CHILD BY COMPU
BUR1	13A-007-005	A	PR	BURGLARY 1ST DEGREE
BUR2	13A-007-006	B	PR	BURGLARY 2ND DEGREE
BUR3	13A-007-007	C	PR	BURGLARY 3RD DEGREE
TFT1	13A-008-003	B	PR	TOP1- SHOP LIFTING
TOD1	13A-008-003	B	PR	THEFT BY DECEPT 1ST
TOP1	13A-008-003	B	PR	THEFT OF PROP 1ST
TPC1	13A-008-003	B	PR	THEFT 1ST DEG - CHARITABLE ORG
TFT2	13A-008-004	C	PR	TOP2- SHOP LIFTING
TOD2	13A-008-004	C	PR	THEFT/DECEPTION 2ND
TOP2	13A-008-004	C	PR	THEFT OF PROP 2ND
TPC2	13A-008-004	C	PR	THEFT 2ND DEG - CHARITABLE ORG
TLP1	13A-008-007	B	PR	THEFT LOST PRTY 1ST
TLP2	13A-008-008	C	PR	THEFT LOST PRTY 2ND
TTTS	13A-008-010.4	C	PR	THEFT TRADE SECRET/TRADMARK
VIDE	13A-008-010.4	C	PR	THEFT TRADE SECRET/TRADMARK
ROB1	13A-008-041	A	PE	ROBBERY 1ST
ROB2	13A-008-042	B	PE	ROBBERY 2ND
ROB3	13A-008-043	C	PE	ROBBERY 3RD
FOR1	13A-009-002	B	PR	FORGERY 1ST
FOR2	13A-009-003	C	PR	FORGERY 2ND
TREA	13A-011-002	A	GP	TREASON

MIOB	13A-012-191	B	SX	PORN OBSCENE MATTER DISPLAY MI
POBM	13A-012-192(A)	B	SX	PORN INTENT TO DISTRIBUTE
PMIO	13A-012-192(B)	C	SX	PORN POSS MATERIAL MINORS
MIPR	13A-012-196	A	SX	PORN PARENT/MINORS IN SEX
POMA	13A-012-197	A	SX	PORN-PRODUCING W/MINORS
PSMF	13A-012-200.2(1)	C	SX	OBSCENE MATERIAL-DIST/POSS
PISF	13A-012-200.2(2)	C	SX	OBSCENE MATERIAL-DIST/POSS WHO
PISP	13A-012-200.2(3)	C	SX	OBSCENE MATERIAL-PRODUCE
UDCS	13A-012-211	B	DR	UNLAW DISTRIB/FURN CONT SUBST
VSCO	13A-012-211	B	DR	SALE COCAINE
VSMA	13A-012-211	B	DR	SALE MARIJUANA
VAPF	13A-012-213	C	DR	POSS MARIJUANA 1ST
BIGA	13A-013-001	C	PE	BIGAMY
INCE	13A-013-003	C	PR	INCEST

Previously, William Segrest, Director of the Alabama Board of Pardons and Paroles requested an opinion from the attorney general regarding what crimes did and did not involve moral turpitude. The attorney general's opinion (#2005-092) dated March 18, 2005 referenced different court cases that were determined to involve moral turpitude and some that did not involve moral turpitude. The Attorney General's Office, although stating they had not been provided an exhaustive list of crimes, concluded that the following felony convictions do not involve moral turpitude: felony drug possession (excludes manufacturing, sales, trafficking, etc.) and felony driving under the influence. See *Hunver v. Underwood*, 471 U.S. 222 at 226 (1985) for discussion of "involving moral terpitude".

Amendment 579 of the Alabama Constitution ratified on June 19, 1996 restored voting rights to Alabamians with convictions that did not involve moral turpitude.

Judicial Review

Registration is at the discretion of the board, but persons denied registration may appeal to the probate court to have their qualifications for voting judicially determined. One may appeal from the probate court to the circuit court and from there to the Alabama Supreme Court. § 17-3-55.

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1970), aff'd 401 U.S. 968, 91 S.Ct. 1189, 28 L.Ed.2d 318 (1971) and aff'd *Amos v. Hadnott*, 405 U.S. 1035, 92 S.Ct. 1304, 31 L.Ed.2d 576 (1972). This effectively repealed Amendment 207 to the Alabama Constitution, which required a residency requirement of one year in the state, six months in the county, and three months in the precinct or ward. As a result of the above-mentioned court actions, the state no longer has a durational residence requirement that is imposed, except a 30-day period of residence is required for voting in municipal elections. The voter is required to register prior to the 10-day close of voter registration. The last day to register is the eleventh day prior to the election. §§ 11-46-38, 11-46-109, 17-3-50(a).

Individuals adjudicated as mentally incompetent by a court and persons convicted of disqualifying felonies and certain other crimes are disqualified from both registering and voting. Alabama Constitution Art. VIII § 182. Alabama's Constitution and laws also contained provisions that disqualified persons unable to read and write the English language, but these provisions were suspended by the Federal Voting Rights Act of 1965.

Applicants were formerly required to fill out, in the presence of the board and without assistance, an application prepared by the state Supreme Court or by the Legislative Reference Service at the request of the Supreme Court. However, this provision was invalidated under the Voting Rights Act as a form of literacy test, and the 1975 state Code substituted for it a uniform application form promulgated by rule by the Secretary of State of the State of Alabama. § 17-3-52. As a result of these developments, registration for voting is now a much easier process than it once was.

2. Judicial Review

Registration is at the discretion of the Board of Registrars, but persons denied registration may appeal to the courts to have their qualifications for voting determined. §§ 17-3-54, 17-3-55.

registration sessions at four-year colleges within the county. § 17-3-11.

College students must not be treated differently because they are students. The same criteria applied to other applicants applies to students. Dorm residence does not limit a student's registration rights, and such residence must be treated the same as owning or renting a room or apartment elsewhere in the county would be treated. 162 Att. Gen. Op. 30 (1976).

3. ***Mental Incompetence.*** An applicant can be denied registration if he or she has been found mentally incompetent by a court. Mere medical care or institutionalization does not disqualify an applicant. The probate judge must provide the board with a list of people who have been declared mentally incompetent. § 17-4-4.

A person found incompetent by court order must be declared competent by a court before being allowed to vote. The board of registrars may ask an applicant to present a court order as evidence of competence. 180 Att. Gen. Op. 90 (Hon. Marguerite Rodgers (1980).

A finding of incapacity under the Guardianship and Protective Proceedings Act (§ 26-2A-1) by the probate judge does not by itself deem the person incompetent to vote. 231 Att. Gen. Op. 17 (Hon. Cletus N. Youmans, 1993)

4. ***Disqualifying Offenses.*** Court rulings and laws have been modified. Any applicant convicted of a felony involving moral turpitude is not eligible to vote. The Administrative Office of Courts has developed a list of disqualifying felonies which "involve moral turpitude". See Chapter 6, Voter Registration, "List of Disqualifying Felony Convictions".

5. ***Restoration of Voting Rights to a Convicted Felon.*** Persons who have completed their sentences may make application for

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reinstatement of their voting rights to the Alabama Board of Pardons and Paroles. § 15-22-16.1. See also § 17-3-31.

6. ***Assigning or Changing Precincts.*** The board of registrars assigns a voter to a precinct immediately after registering. When the elector has changed precincts and when the precinct boundaries change, the Board of Registrars may change the precinct assignment.

7. ***Transfer Between Precincts.*** When the board has sufficient evidence that a voter has moved from one precinct to another, it must transfer the voter's precinct assignment. If this is not being done at the voter's request, the board must notify the voter of the change by mail. § 17-4-132.

The board of registrars must reassign an elector when there is sufficient evidence that the elector has permanently moved from one precinct to another. The board does not have a duty to seek out electors voting in the wrong precinct. 252 Att. Gen. Op. 32 (Hon. Lindbergh Jones, 1998).

8. ***Change in Precinct Boundaries.*** The county commission must file a description and map of new precinct boundaries with the board of registrars when it changes precinct lines. § 17-6-2.

The board must use this list to update its records. To reflect any changes, the board must send out new certificates of registration (voter identification cards) before the next election. 226 Att. Gen. Op. 97 (Hon. Joan Neville, 1992).

Voter File Maintenance

Under the National Voter Registration Act and state law, voters remain on the voting list unless their qualifications change. A person may only be removed from the voter rolls by the board of registrars for a specific and legal reason.

Alabama Election Handbook

Fourteenth Edition



ALABAMA LAW INSTITUTE

Copyright, 1980, 1986, 1990, 1994,1996,
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by
Alabama Law Institute

Library of Congress Catalog Card Number
2001-133213

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broad terms, means that the individual must be invested with a portion of the sovereign power of the state. *Alexander v. State ex rel. Carver*, 274 Ala. 441, 150 So. 2d 204 (1963).

Effects of a Criminal Conviction

Article IV, § 60 of the Constitution of Alabama of 1901 states that "no person convicted of embezzlement of the public money, bribery, perjury, or other infamous crime, shall be eligible to the legislature, or capable of holding any office of trust or profit in this state." In conjunction with § 36-2-1(a)(3), this prohibition means that no one convicted of one of these felonies can hold public office. This prohibition does not totally deny the right to hold office, forever, as the convicted person may become eligible through a pardon and restoration of their voting rights.

Article VIII 177 (b) provides "no person convicted of a felony involving moral turpitude 'shall be eligible to vote until restoration of civil and political rights'". See "List of Disqualifying Offenses" in Chapter 6.

A pardon relieves the convicted person from the legal consequences of a specific crime. Amendment 38 of the Constitution grants to the governor the power to authorize pardons, and § 15-22-36 allows the Board of Pardons and Paroles to grant pardons in all cases except treason and impeachment, and cases in which a sentence of death is imposed and not commuted. A pardon to relieve one from civil and political disabilities must specifically express the relief in the pardon. § 15-22-36(c).

A convicted felon may have their voting rights restored under a law passed in 2003 once the person has completed their sentence and made restitution. § 15-22-36.1.

Political Activities

Alabama law provides

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Persons seeking to register to vote are required to fill out an application or a form promulgated by rule by the Secretary of State. § 17-3-52. Ala. Con. of 1901, art. VIII, § 177, 182; Att'y. Gen. Op. 05-0092 (2005).

Restoration of Voting Rights of a Convicted Felon

The law governing the restoration of voting rights was amended in the Second Special Session of the Legislature in 2003. Under the 2003 amendment, persons convicted of a felony offense involving moral turpitude may have their voting rights restored by making application to the State Board of Pardons and Paroles. The Board of Pardons and Paroles shall grant a "Certificate of Eligibility to Register to Vote" to any convicted felon who has completed the terms of the sentence for the conviction and who no longer has other felony charges pending against him or her. § 15-22-36.1. However, one convicted of any one of fifteen crimes listed in the Act is not eligible for restoration of voting rights. § 15-22-36.1

Section 15-22-36.1 of the Code of Alabama 1975 outlines who is eligible to receive a certificate of eligibility to register to vote. The Alabama Board of Pardons and Paroles began issuing these certificates in October 2003 using the following guidelines:

A. Process for Issuing a Certificate of Eligibility

(1) A person may apply by one of the following three methods: Going to the State Pardon and Parole office nearest to where he lives, calling the Pardon Unit at one of the following numbers: (334) 353-7325; (334) 242-8730; (334) 242-8751 OR contacting the Board of Pardons and Paroles in writing at P.O. Box 302405, Montgomery, AL 36130-2405. The request should include all of the following information:

(a) Name under which convicted;
(b) True name;

(c) Sex and race;
(d) Date of birth;
(e) Social Security number
(f) AIS# (Alabama Prison number), if you have one
(g) Current physical address including county
(h) Current mailing address, if different
(I) Indicate if the conviction was a State or Federal Conviction;
(j) Home telephone number
(k) Complete list of charges, county & year of conviction

(2) Once the application is received the investigation is assigned to the State Pardon & Paroles office nearest to where the applicant lives. The officer runs a criminal history to determine what disqualifying convictions need to be included. The officer then verifies the applicant meets the eligibility requirements.

(3) If the applicant meets the requirements, a checklist is submitted to a senior officer in the pardon unit at the Board of Pardons and Paroles.

(4) A senior officer reviews the checklist and prepares it for board review. The file is submitted to the board for a period of 5 days. During this 5 day period, the board can object if they determine the eligibility requirements have not been met. If an objection occurs the board will hear the matter at the next hearing docket.

(5) If there are no objections by the board, a certificate is issued and signed by the Director of the Board of Pardons and Paroles.

NOTE: The time frame for a certificate of eligibility is 45 days.

B. Eligibility Requirer

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B. Eligibility Requirements for Restoration of Voting Rights

(1) The applicant cannot have a conviction for one of the following :

Impeachment, treason, murder, rape (any degree), sodomy (any degree), sexual abuse (any degree), incest, sexual torture, enticing a child to enter a vehicle for immoral purposes, soliciting a child by computer, production of obscene matter involving a minor, production of obscene matter, parents or guardians permitting children to engage in obscene matter, possession of obscene matter, or possession with intent to distribute child pornography.

(2) The applicant cannot have any felony charges pending against him.

(3) The applicant must have finished his sentence and not be under probation or parole supervision.

(4) The applicant must not owe any court ordered monies on his disqualifying cases or supervision fees.

NOTE: The board can issue a certificate for Alabama residents with state convictions from Alabama or federal convictions from Alabama or other states as long as the requirements are met and verified.

C. Persons Who Have Not Lost Their Voting Rights by a Conviction.

(1) People who only have youthful offender adjudications
(2) People who only have misdemeanor convictions
(3) People who were charged with a felony that was nol prossed or dismissed

(4) People who only have juvenile convictions
(5) People who have a felony conviction that did not involve moral turpitude (see following section below for list disqualifying offenses.

D. List of Disqualifying Felony Convictions

The Director of the Alabama Board of Pardons and Paroles initially requested an opinion from the attorney general regarding what crimes did and did not involve moral turpitude. The referenced different court cases that were determined to involve moral turpitude and some that did not involve moral turpitude. Att'y. Gen. Op. 05-0092 (2005). The Attorney General's Office, although stating they had not been provided an exhaustive list of crimes, concluded that the following felony convictions do not involve moral turpitude: felony drug possession (excludes manufacturing, sales, trafficking, etc.) and felony driving under the influence. See *Hunver v. Underwood*, 471 U.S. 222 at 226 (1985) for discussion of "involving moral turpitude".

In 2007, the Administrative Office of Courts compiled the following list of disqualifying felonies involving moral turpitude the conviction of which would disqualify and disenfranchise state citizens of their right to vote under Amendment 579 of the Alabama Constitution:

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Code	Code section
HOMI	014-314-
CM01	13A-005-040(A
CM10	13A-005-040(A
CM11	13A-005-040(A
CM12	13A-005-040(A
CM13	13A-005-040(A
CM14	13A-005-040(A
CM15	13A-005-040(A
CM16	13A-005-040(A
CM17	13A-005-040(A
CM18	13A-005-040(A
CM02	13A-005-040(A
CM03	13A-005-040(A
CM04	13A-005-040(A
CM05	13A-005-040(A
CM06	13A-005-040(A
CM07	13A-005-040(A
CM08	13A-005-040(A
CM09	13A-005-040(A
MURD	13A-006-002
MURR	13A-006-002(A)
FMUR	13A-006-002(A)
MANS	13A-006-003
JJJI	13A-006-020
ASL1	13A-006-020(A)
ASS2	13A-006-021
RAP1	13A-006-061
RAP2	13A-006-062
SOD1	13A-006-063
SOD2	13A-006-064
STSA	13A-006-065.1
SXA1	13A-006-066
SX2F	13A-006-067
ECHI	13A-006-069
SX12	13A-006-069.1
SCBC	13A-006-110
BUR1	13A-007-005
BUR2	13A-007-006
BUR3	13A-007-007
TFT1	13A-008-003
TOD1	13A-008-003
TOP1	13A-008-003
TPC1	13A-008-003
TFT2	13A-008-004
TOD2	13A-008-004
TOP2	13A-008-004
TPC2	13A-008-004
TLP1	13A-008-007
TLP2	13A-008-008
TTTS	13A-008-010.4
VIDE	13A-008-010.4
ROB1	13A-008-041
ROB2	13A-008-042
ROB3	13A-008-043
FOR1	13A-009-002
FOR2	13A-009-003
TREA	13A-011-002

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Alabama felony offenses which have been declared or determined
by an Alabama appellate court, a state statute or an Attorney General's opinion
to "involve moral turpitude"

Code	Code section	Class	Category	Common Name
HOMI	014-314-	A	PE	MURDER (OLD CODE)
CM01	13A-005-040(A)(1)	U	PE	MURDER CAPITAL-KIDNAP
CM10	13A-005-040(A)(10)	U	PE	MURDER CAPITAL-TWO OR MORE PER
CM11	13A-005-040(A)(11)	U	PE	MURDER CAPITAL-PUBLIC OFFICIAL
CM12	13A-005-040(A)(12)	U	PE	MURDER CAPITAL-AIRPLANE HIJACK
CM13	13A-005-040(A)(13)	U	PE	MURDER CAPITAL-20YR PRIOR CON
CM14	13A-005-040(A)(14)	U	PE	MURDER CAPITAL-WITNESS
CM15	13A-005-040(A)(15)	U	PE	MURDER CAPITAL-UNDER 14 YEARS
CM16	13A-005-040(A)(16)	U	PE	MURDER CAPITAL-DWELL FR OUTSID
CM17	13A-005-040(A)(17)	U	PE	MURDER CAPITAL-VEH FR OUTSIDE
CM18	13A-005-040(A)(18)	U	PE	MURDER CAPITAL-FIRED FROM VEHI
CM02	13A-005-040(A)(2)	U	PE	MURDER CAPITAL-ROBBERY
CM03	13A-005-040(A)(3)	U	PE	MURDER CAPITAL-RAPE/SODOMY
CM04	13A-005-040(A)(4)	U	PE	MURDER CAPITAL-BURGLARY
CM05	13A-005-040(A)(5)	U	PE	MURDER CAPITAL-LAW OFF/GUARD
CM06	13A-005-040(A)(6)	U	PE	MURDER CAPITAL-LIFE SENTENCE
CM07	13A-005-040(A)(7)	U	PE	MURDER CAPITAL-FOR HIRE
CM08	13A-005-040(A)(8)	U	PE	MURDER CAPITAL-SEXUAL ABUSE
CM09	13A-005-040(A)(9)	U	PE	MURDER CAPITAL-ARSON
MURD	13A-006-002	A	PE	MURDER
MURR	13A-006-002(A)(2)	A	PE	MURDER-RECKLESS/VEHICLE
FMUR	13A-006-002(A)(3)	A	PE	FELONY MURDER
MANS	13A-006-003	B	PE	MANSLAUGHTER
JJJ1	13A-006-020	B	PE	ASSAULT 1ST DEGREE
ASL1	13A-006-020(A)5	B	PE	ASSAULT 1ST DEGREE (LIQUOR)
ASS2	13A-006-021	C	PE	ASSAULT 2ND DEGREE
RAP1	13A-006-061	A	SX	RAPE 1ST DEGREE
RAP2	13A-006-062	B	SX	RAPE 2ND DEGREE
SOD1	13A-006-063	A	SX	SODOMY 1ST DEGREE
SOD2	13A-006-064	B	SX	SODOMY 2ND DEGREE
STSA	13A-006-065.1	A	SX	SEXUAL TORTURE/ABUSE
SXA1	13A-006-066	C	SX	SEXUAL ABUSE 1ST
SX2F	13A-006-067	C	SX	SEXUAL ABUSE 2ND DEGREE
ECHI	13A-006-069	C	SX	ENTICING CHILD TO ENTER
SX12	13A-006-069.1	B	PE	SEX ABUSE-CHILD LESS 12 YOA
SCBC	13A-006-110	B	PE	SOLICITATION OF CHILD BY COMPU
BUR1	13A-007-005	A	PR	BURGLARY 1ST DEGREE
BUR2	13A-007-006	B	PR	BURGLARY 2ND DEGREE
BUR3	13A-007-007	C	PR	BURGLARY 3RD DEGREE
TFT1	13A-008-003	B	PR	TOP1- SHOP LIFTING
TOD1	13A-008-003	B	PR	THEFT BY DECEPT 1ST
TOP1	13A-008-003	B	PR	THEFT OF PROP 1ST
TPC1	13A-008-003	B	PR	THEFT 1ST DEG - CHARITABLE ORG
TFT2	13A-008-004	C	PR	TOP2- SHOP LIFTING
TOD2	13A-008-004	C	PR	THEFT/DECEPTION 2ND
TOP2	13A-008-004	C	PR	THEFT OF PROP 2ND
TPC2	13A-008-004	C	PR	THEFT 2ND DEG - CHARITABLE ORG
TLP1	13A-008-007	B	PR	THEFT LOST PRTY 1ST
TLP2	13A-008-008	C	PR	THEFT LOST PRTY 2ND
TTTS	13A-008-010.4	C	PR	THEFT TRADE SECRET/TRADMARK
VIDE	13A-008-010.4	C	PR	THEFT TRADE SECRET/TRADMARK
ROB1	13A-008-041	A	PE	ROBBERY 1ST
ROB2	13A-008-042	B	PE	ROBBERY 2ND
ROB3	13A-008-043	C	PE	ROBBERY 3RD
FOR1	13A-009-002	B	PR	FORGERY 1ST
FOR2	13A-009-003	C	PR	FORGERY 2ND
TREA	13A-011-002	A	GP	TREASON

MIOB	13A-012-191	B	SX	PORN OBSCENE MATTER DISPLAY MI
POBM	13A-012-192(A)	B	SX	PORN INTENT TO DISTRIBUTE
PMIO	13A-012-192(B)	C	SX	PORN POSS MATERIAL MINORS
MIPR	13A-012-196	A	SX	PORN PARENT/MINORS IN SEX
POMA	13A-012-197	A	SX	PORN-PRODUCING W/MINORS
PSMF	13A-012-200.2(1)	C	SX	OBSCENE MATERIAL-DIST/POSS
PISF	13A-012-200.2(2)	C	SX	OBSCENE MATERIAL-DIST/POSS WHO
PISP	13A-012-200.2(3)	C	SX	OBSCENE MATERIAL-PRODUCE
UDCS	13A-012-211	B	DR	UNLAW DISTRIB/FURN CONT SUBST
VSCO	13A-012-211	B	DR	SALE COCAINE
VSMA	13A-012-211	B	DR	SALE MARIJUANA
VAPF	13A-012-213	C	DR	POSS MARIJUANA 1ST
BIGA	13A-013-001	C	PE	BIGAMY
INCE	13A-013-003	C	PR	INCEST

Subsequently the legal Director of the Administrative Office of Courts in a memorandum to county election officials clarified that not all convictions for possessing marijuana under § 13A-12-213 involves moral turpitude.

"...a conviction under subsection (a)(2) of §13A-12-213 is not a felony involving moral turpitude, since the possession is for personal use only. However, if the conviction is under subsection (a)(1), which is possession for purposes other than personal use, *i.e.*, for sale, then the conviction is one of a felony involving moral turpitude.

Parenthetically, possession of marijuana, second degree, § 13A-12-214, is not a felony and thus a conviction under this statute is not, under any circumstances, a disenfranchising felony involving moral turpitude.

This distinction between subsection (a)(1) and (a)(2) of §13A-12-213 is of critical importance, since if it is not observed, erroneous and illegal disqualification of voters or persons registering to vote will occur."

Amendment 579 of the Alabama Constitution ratified on June 19, 1996 restored voting rights to Alabamians with convictions that did not involve moral turpitude.

Judicial Review

Registration is at the c
Persons denied registr
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Official List of Reg

No person may be reg
election. § 17-3-50. Fr
print or electronic for
Secretary of State, th
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Computerized Statev

The Statewide Voter Reg
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4-37. Registration must
America Vote Act of 200

Judicial Review

Registration is at the discretion of the board of registrars. § 17-3-54. Persons denied registration may appeal to the probate court to have their qualifications for voting judicially determined. One may appeal from the probate court to the circuit court and from there to the Alabama Supreme Court. § 17-3-55.

Official List of Registered Voters

No person may be registered to vote within 10 days prior to any election. § 17-3-50. From the state voter registration list, in either print or electronic form pursuant to administrative rules by the Secretary of State, the judge of probate prepares and prints alphabetical lists of all registered voters, by precincts and districts. The lists certified by the judge of probate contain the names of the county's qualified voters. An electronic archive in the database for the state voter registration list is recorded simultaneously with the printing of each county's lists of qualified voters. The judge of probate is required by law to publish the official list of qualified voters on or before the twentieth day preceding the regularly scheduled primary election in a newspaper of general circulation in the county. A supplemental list is published seven days before the primary election. §§ 17-4-1, 17-4-2.

The statewide voter registration list contains all information deemed necessary by the Voter Registration Advisory Board. §§ 17-4-33(a)(2), 17-4-34. Local boards of registrars shall provide to the Secretary of State the required information for each voter to establish and maintain the statewide list. § 17-4-36.

Computerized Statewide Voter Registration List

The Statewide Voter Registration File Act, provides for a statewide, computerized voter file maintenance system. §§ 17-4-33 through 17-4-37. Registration must be in compliance with the federal Help America Vote Act of 2002 and the National Voter Registration Act

Alabama Election Handbook

Fifteenth Edition



ALABAMA LAW INSTITUTE

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by
Alabama Law Institute

Library of Congress Catalog Card Number
2001-133213

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FAX (205) 348-8411

www.ali.state.al.us

ALABAMA STATE CAPITOL
600 DEXTER AVENUE
SUITE S-105
MONTGOMERY, AL 36130

Dear fellow Alabamian,

Each time a citizen casts a
paper; they are voicing the
government and the officia

Those who vote are expres
envisioned long ago. They
keeps America a sound rep
everything in between, ele

Fair and honest elections a
Citizens must have confide
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Alabama deserve nothing l

We have many election res
and www.alabamavotes.go
any questions you may hav

Thank you for all you do to

Sincerely,

Beth Chapman
Alabama Secretary of State

assessed by the State Election Board, following a hearing. A negative assessment of satisfactory evidence of U.S. citizenship is appealable by instituting an action under 8 U.S.C. § 1503 (HB56, Act 2011-535)*.

The application for voter registration must also contain a statement that the applicant will be required to provide required identification when voting. Act 2011-535*.

Restoration of Voting Rights of a Convicted Felon

The law governing the restoration of voting rights was amended in the Second Special Session of the Legislature in 2003. Under the 2003 amendment, persons convicted of a felony offense involving moral turpitude may have their voting rights restored by making application to the State Board of Pardons and Paroles. The Board of Pardons and Paroles shall grant a "Certificate of Eligibility to Register to Vote" to any convicted felon who has completed the terms of the sentence for the conviction and who no longer has other felony charges pending against him or her. § 15-22-36.1. However, one convicted of any one of fifteen crimes listed in the Act is not eligible for restoration of voting rights. § 15-22-36.1

Section 15-22-36.1 of the Code of Alabama 1975 outlines who is eligible to receive a certificate of eligibility to register to vote. The Alabama Board of Pardons and Paroles began issuing these certificates in October 2003 using the following guidelines:

A. Process for Issuing a Certificate of Eligibility

(1) A person may apply by one of the following three methods: Going to the State Pardon and Parole office nearest to where he lives, calling the Pardon Unit at

*Act No. 2011-535 is subject to preclearance by the U.S. Justice Department and is pending litigation in federal court. *See* "Voting Rights Act" in Chapter 2.

the follow
options to s
the Board c
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(a) Nam
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(k) Work area c
(l) Comp convic

(2) Once the ap assigned to t to where th criminal hist convictions r verifies the requirements.

(3) If the applica submitted to Board of Pard

the following number: (334) 242-8700, choosing options to speak with Pardon Unit staff OR contacting the Board of Pardons and Paroles in writing at P.O. Box 302405, Montgomery, AL 36130-2405. The request should include all of the following information:

(a) Name under which convicted;
(b) True name;
(c) Sex and race;
(d) Date of birth;
(e) Social Security number
(f) AIS# (Alabama Prison number), if you have one
(g) Current physical address including county
(h) Current mailing address, if different
(i) Indicate if the conviction was a State or Federal Conviction;
(j) Home telephone number, including area code
(k) Work or alternate telephone number, including area code.
(l) Complete list of charges, county & year of conviction

(2) Once the application is received the investigation is assigned to the State Pardon & Paroles office nearest to where the applicant lives. The officer runs a criminal history to determine what disqualifying convictions need to be included. The officer then verifies the applicant meets the eligibility requirements.

(3) If the applicant meets the requirements, a checklist is submitted to a senior officer in the pardon unit at the Board of Pardons and Paroles.

(4) A senior officer reviews the checklist and prepares it for board review. The file is submitted to the board for a period of 5 days. During this 5-day period, the board can object if they determine the eligibility requirements have not been met. If an objection occurs, the board will hear the matter at the next hearing docket.

(5) If there are no objections by the board, a certificate is issued and signed by the Director of the Board of Pardons and Paroles.

NOTE: The time frame for a certificate of eligibility is 45 days.

B. Eligibility Requirements for Restoration of Voting Rights

(1) The applicant cannot have a conviction for one of the following :

Impeachment, treason, murder, rape (any degree), sodomy (any degree), sexual abuse (any degree), incest, sexual torture, enticing a child to enter a vehicle for immoral purposes, soliciting a child by computer, production of obscene matter involving a minor, production of obscene matter, parents or guardians permitting children to engage in obscene matter, possession of obscene matter, possession with intent to distribute child pornography, or treason.

(2) The applicant cannot have any felony charges pending against him.

(3) The applicant must have finished his sentence and not be under probation or parole supervision.

(4) The applicant must not owe any court ordered monies on his disqualifying cases or supervision fees.

NOTE: The board can i
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**C. People Who Have
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In 2007, the Administrative
list of disqualifying fel
conviction of which wou
citizens of their right to
Alabama Constitution:

NOTE: The board can issue a certificate for Alabama residents with state convictions from Alabama or federal convictions from Alabama or other states as long as the requirements are met and verified.

C. People Who Have Not Lost Their Voting Rights by a Conviction.

(1) People who only have youthful offender adjudications
(2) People who only have misdemeanor convictions
(3) People who were charged with a felony that was nol prossed or dismissed
(4) People who only have juvenile convictions
(5) People who have a felony conviction that did not involve moral turpitude (see following section below for list disqualifying offenses.

D. List of Disqualifying Felony Convictions

The Director of the Alabama Board of Pardons and Paroles initially requested an opinion from the attorney general regarding what crimes did and did not involve moral turpitude. Att'y. Gen. Op. 05-0092 (2005). The Attorney General's Office, although stating they had not been provided an exhaustive list of crimes, concluded that the following felony convictions do not involve moral turpitude: felony drug possession (excludes manufacturing, sales, trafficking, etc.) and felony driving under the influence. *See Hunver v. Underwood*, 471 U.S. 222 at 226 (1985) for discussion of "involving moral turpitude".

In 2007, the Administrative Office of Courts compiled the following list of disqualifying felonies involving moral turpitude the conviction of which would disqualify and disenfranchise state citizens of their right to vote under Amendment 579 of the Alabama Constitution:

Alabama felony offenses which have been declared or determined by an Alabama appellate court, a state statute or an Attorney General's opinion to "involve moral turpitude"

Code	Code Section	Class	Category	Common Name
HOMI	014-314-	A	PE	Murder (Old Code)
CM01	13A-005-040(A)(1)	U	PE	Murder Capital-Kidnap
CM10	13A-005-040(A)(10)	U	PE	Murder Capital-Two or more per
CM11	13A-005-040(A)(11)	U	PE	Murder Capital-Public Official
CM12	13A-005-040(A)(12)	U	PE	Murder Capital-Airplane Hijack
CM13	13A-005-040(A)(13)	U	PE	Murder Capital-20YR Prior Con
CM14	13A-005-040(A)(14)	U	PE	Murder Capital-Witness
CM15	13A-005-040(A)(15)	U	PE	Murder Capital-Under 14 years
CM16	13A-005-040(A)(16)	U	PE	Murder Capital-Dwell fm Outside
CM17	13A-005-040(A)(17)	U	PE	Murder Capital-Veh fm Outside
CM18	13A-005-040(A)(18)	U	PE	Murder Capital-Fired from Vehi
CM02	13A-005-040(A)(2)	U	PE	Murder Capital-Robbery
CM03	13A-005-040(A)(3)	U	PE	Murder Capital-Rape/Sodomy
CM04	13A-005-040(A)(4)	U	PE	Murder Capital-Burglary
CM05	13A-005-040(A)(5)	U	PE	Murder Capital-Law Off/Guard
CM06	13A-005-040(A)(6)	U	PE	Murder Capital-Life Sentence
CM07	13A-005-040(A)(7)	U	PE	Murder Capital-For Hire
CM08	13A-005-040(A)(8)	U	PE	Murder Capital-Sexual Abuse
CM09	13A-005-040(A)(9)	U	PE	Murder Capital-Arson
MURD	13A-006-002	A	PE	Murder
MURR	13A-006-002(A)(2)	A	PE	Murder-Reckless/Vehicle
FMUR	13A-006-002(A)(3)	A	PE	Felony Murder
MANS	13A-006-003	B	PE	Manslaughter
JJJ1	13A-006-020	B	PE	Assault 1st Degree
ASL1	13A-006-020(A)(5)	B	PE	Assault 1st Degree (Liquor)
ASS2	13A-006-021	C	PE	Assault 2nd Degree
RAP1	13A-006-061	A	SX	Rape 1st Degree
RAP2	13A-006-062	B	SX	Rape 2nd Degree
SOD1	13A-006-063	A	SX	Sodomy 1st Degree
SOD2	13A-006-064	B	SX	Sodomy 2nd Degree
STSA	13A-006-065.1	A	SX	Sexual Torture/Abuse
SXA1	13A-006-066	C	SX	Sexual Abuse 1st Degree
SX2F	13A-006-067	C	SX	Sexual Abuse 2nd Degree
ECHI	13A-006-069	C	SX	Enticing Child to Enter
SX12	13A-006-069.1	B	PE	Sex Abuse-Child less 12 YOA
SCBC	12A-006-110	B	PE	Solicitation of Child by Compu
BUR1	13A-007-005	A	PR	Burglary 1st Degree
BUR2	13A-007-006	B	PR	Burglary 2nd Degree
BUR3	13A-007-007	C	PR	Burglary 3rd Degree
TFT1	13A-008-003	B	PR	TOP1-Shop Lifting
TOD1	13A-008-003	B	PR	Theft by Decept 1st
TOP1	13A-008-0033	B	PR	Theft of Prop 1st
TPC1	13A-008-003	B	PR	Theft 1st Deg - Charitable Org
TFT2	13A-008-004	C	PR	TOP2-Shop Lifting
TOD2	13A-008-004	C	PR	Theft/Deception 2nd
TOP2	13A-005-004	C	PR	Theft of Prop 2nd
TPC2	13A-008-004	C	PR	Theft 2nd Deg - Charitable Org
TLP1	13A-008-007	B	PR	Theft Lost Prty 1st
TLP2	13A-008-008	C	PR	Theft Lost Prty 2nd
TTTS	13A-005-010.4	C	PR	Theft Trade Secret/Trademark

Code	Code Section	Class
VIDE	13A-005-010.4	C
ROB1	13A-008-041	A
ROB2	13A-005-42	B
ROB3	13A-005-043	C
FOR1	13A-009-002	B
FOR2	13A-009-003	C
TREA	13A-011-002	A
MIOB	13A-012-191	B
POBM	13A-012-192(A)	B
PMIO	13A-012-192(B)	C
MIPR	13A-012-196	A
POMA	13A-012-197	A
PSMF	13A-012-200.2(1)	C
PISF	13A-012-200.2(2)	C
PISP	13A-012-200.2(3)	C
UDCS	13A-012-211	B
VSCO	13A-012-211	B
VSMA	13A-012-211	B
VAPF	13A-012-213	C
BIGA	13A-013-001	C
INCE	13A-013-003	C

Subsequently the legal D
Courts in a memorandum
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"...a conviction unc
a felony involving mora
personal use only. Howe
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for sale, then the convic
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Parenthetically, pc
13A-12-214, is not a felon
is not, under any cir
involving moral turpitud

This distinction b
13A-12-213 is of critical
erroneous and illegal
registering to vote will oc

Code	Code Section	Class	Category	Common Name
VIDE	13A-005-010.4	C	PR	Theft Trade Secret/Trademark
ROB1	13A-008-041	A	PE	Robberty 1st
ROB2	13A-005-42	B	PE	Robbery 2nd
ROB3	13A-005-043	C	PE	Robbery 3rd
FOR1	13A-009-002	B	PR	Forgery 1st
FOR2	13A-009-003	C	PR	Forgery 2nd
TREA	13A-011-002	A	GP	Treason
MIOB	13A-012-191	B	SX	Porn Obscene Matter Display Mi
POBM	13A-012-192(A)	B	SX	Porn Intent to Distribute
PMIO	13A-012-192(B)	C	SX	Porn Poss Material Minors
MIPR	13A-012-196	A	SX	Prn Parent/Minors in Sex
POMA	13A-012-197	A	SX	Porn-Producing w/ Minors
PSMF	13A-012-200.2(1)	C	SX	Obscene Material-Dist/Poss
PISF	13A-012-200.2(2)	C	SX	Obscene Material-Dist/Poss WHO
PISP	13A-012-200.2(3)	C	SX	Obscene Material-Produce
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The statewide voter registration list contains all information deemed necessary by the Voter Registration Advisory Board. §§ 17-4-33(a)(2), 17-4-34. Local boards of registrars shall provide to the Secretary of State the required information for each voter to establish and maintain the statewide list. § 17-4-36.

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Alabama Election Handbook

Sixteenth Edition

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Alabama Law Institute

Library of Congress Catalog Card Number
2001-133213

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Tuscaloosa, Alabama 35486
Phone (205) 348-7411
FAX (205) 348-8411

www.ali.state.al.us

JIM BENNETT
SECRETARY OF STATE

My fellow Alabami

It is my pleasure, a
of State's Electio
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The genesis of thi
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We have many
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Thank you for all y

Sincerely,

Jim Bennett

newspaper published within the county or on local radio or television, or on both. § 17-3-8(f).

The chairperson of the board of registrars has the authority to preside over the meetings of the board. Att'y. Gen. Op. 98-0006 (1998). Neither the judge of probate, the secretary of state, nor the supervisor of voter registration has the power to supervise the board or the individual members of the board. Att'y. Gen. Op. 98-0006 (1997) and Att'y. Gen. Op. 04-0124 (2004).

Qualification for Registration of a Voter

As in other states, a person must meet certain requirements of age and citizenship to qualify as a voter. No person is entitled to vote unless he or she is 18 years of age and a citizen of the United States. U.S. Constitution, Amend. XXVI.

In 1970, a federal court ruled that Alabama's constitutional residence requirement pertaining to counties and precincts was unconstitutional. *Hadnott v. Amos*, 320 F.Supp. 107 (M.D. Ala. 1970), aff'd 401 U.S. 968, 91 S.Ct. 1189, 28 L.Ed.2d 318 (1971) and aff'd *Amos v. Hadnott*, 405 U.S. 1035, 92 S.Ct. 1304, 31 L.Ed.2d 576 (1972). This effectively repealed Amendment 207 to the Alabama Constitution, which required a residency requirement of one year in the state, six months in the county and three months in the precinct or ward. The state no longer has a durational residence requirement for state, county, or federal elections. However, the municipal election laws require a 30-day period of residence as a qualification for voting in municipal elections. The voter in a municipal election, like all voters, is required to register more than 10 days prior to the election. §§ 11-46-38, 11-46-109 and 17-3-50.

Individuals declared mentally incompetent by a court of proper jurisdiction and persons convicted of felony offenses involving moral turpitude are disqualified from registering and voting.

Persons seeking to regist
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Persons seeking to register to vote are required to fill out an application or a form promulgated by rule by the secretary of state. §17-3-52. Ala. Con. of 1901, Art. VIII, § 177, 182; Att'y. Gen. Op. 05-0092 (2005).

The application for voter registration must also contain a statement that the applicant will be required to provide required identification when voting. § 31-13-28.

Restoration of Voting Rights of a Convicted Felon

The law governing the restoration of voting rights was amended in the Second Special Session of the Legislature in 2003. Under the 2003 amendment, persons convicted of a felony offense involving moral turpitude may have their voting rights restored by making application to the State Board of Pardons and Paroles. The Board of Pardons and Paroles shall grant a "Certificate of Eligibility to Register to Vote" to any convicted felon who has completed the terms of the sentence for the conviction and who no longer has other felony charges pending against him or her. § 15-22-36.1. However, one convicted of any one of fifteen crimes listed in the Act is not eligible for restoration of voting rights. § 15-22-36.1.

Section 15-22-36.1 of the Code of Alabama 1975 outlines who is eligible to receive a certificate of eligibility to register to vote. The Alabama Board of Pardons and Paroles began issuing these certificates in October 2003 using the following guidelines:

A. Process for Issuing a Certificate of Eligibility

(1) A person may apply by one of the following three methods: Going to the State Pardons and Paroles office nearest to where he/she lives, calling the Pardon Unit at the following number: (334) 242-8700, choosing the option to speak with Pardon Unit staff OR contacting the Board of Pardons and Paroles in writing at P.O. Box 302405, Montgomery, AL 36130-

2405. The request should include all of the following information:

(a) Name under which convicted;
(b) True name;
(c) Sex and race;
(d) Date of birth;
(e) Social Security number;
(f) AIS# (Alabama Prison number), if you have one;
(g) Current physical address including county;
(h) Current mailing address, if different;
(i) Indicate if the conviction was a State or Federal Conviction;
(j) Home telephone number, including area code;
(k) Work or alternate telephone number, including area code; and,
(l) Complete list of charges, county & year of conviction.

(2) Once the application is received the investigation is assigned to the State Pardons & Paroles office nearest to where the applicant lives. The officer runs a criminal history to determine what disqualifying convictions need to be included. The officer then verifies the applicant meets the eligibility requirements.

(3) If the applicant meets the requirements, a checklist is submitted to a senior officer in the pardon unit at the Board of Pardons and Paroles.

(4) A senior officer reviews the checklist and prepares it for board review. The file is submitted to the board for a period of 5 days. During this 5-day period, the board can object if they determine the eligibility requirements have not been met. If an objection

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B. Eligibility Requirem

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occurs, the board will hear the matter at the next hearing docket.

(5) If there are no objections by the board, a certificate is issued and signed by the Director of the Board of Pardons and Paroles.

NOTE: The time frame for a certificate of eligibility is 45 days.

B. Eligibility Requirements for Restoration of Voting Rights

(1) The applicant cannot have a conviction for one of the following :

Impeachment; treason; murder; rape (any degree); sodomy (any degree); sexual abuse (any degree); incest; sexual torture; enticing a child to enter a vehicle for immoral purposes; soliciting a child by computer; production of obscene matter involving a minor; production of obscene matter; parents or guardians permitting children to engage in obscene matter; possession of obscene matter; or possession with intent to distribute child pornography.

(2) The applicant cannot have any felony charges pending against him.

(3) The applicant must have finished his sentence and not be under probation or parole supervision.

(4) The applicant must not owe any court ordered monies on his disqualifying case(s) or supervision fees.

NOTE: The board can issue a certificate for Alabama residents with state convictions from Alabama or federal convictions from

Alabama or other states as long as the requirements are met and verified.

C. People Who Have Not Lost Their Voting Rights by a Conviction.

(1) People who only have youthful offender adjudications;
(2) People who only have misdemeanor convictions;
(3) People who were charged with a felony that was nol prossed or dismissed;
(4) People who only have juvenile convictions; or,
(5) People who have a felony conviction that did not involve moral turpitude (see following section below for list disqualifying offenses).

D. List of Disqualifying Felony Convictions

The director of the Alabama Board of Pardons and Paroles initially requested an opinion from the attorney general regarding what crimes did and did not involve moral turpitude. Att'y. Gen. Op. 05-0092 (2005). The Attorney General's Office, although stating they had not been provided an exhaustive list of crimes, concluded that the following felony convictions do not involve moral turpitude: felony drug possession (excludes manufacturing, sales, trafficking, etc.) and felony driving under the influence. *See Hunver v. Underwood*, 471 U.S. 222 at 226 (1985) for discussion of "involving moral turpitude".

In 2007, the Administrative Office of Courts compiled the following list of disqualifying felonies involving moral turpitude the conviction of which would disqualify and disenfranchise state citizens of their right to vote under Amendment 579 of the Alabama Constitution:

Alabama felony offense
Alabama appellate court,

Code	Code Section	Cl
HOMI	014-314-	
CM01	13A-005-040(A)(1)	
CM10	13A-005-040(A)(10)	
CM11	13A-005-040(A)(11)	
CM12	13A-005-040(A)(12)	
CM13	13A-005-040(A)(13)	
CM14	13A-005-040(A)(14)	
CM15	13A-005-040(A)(15)	
CM16	13A-005-040(A)(16)	
CM17	13A-005-040(A)(17)	
CM18	13A-005-040(A)(18)	
CM02	13A-005-040(A)(2)	
CM03	13A-005-040(A)(3)	
CM04	13A-005-040(A)(4)	
CM05	13A-005-040(A)(5)	
CM06	13A-005-040(A)(6)	
CM07	13A-005-040(A)(7)	
CM08	13A-005-040(A)(8)	
CM09	13A-005-040(A)(9)	
MURD	13A-006-002	
MURR	13A-006-002(A)(2)	
FMUR	13A-006-002(A)(3)	
MANS	13A-006-003	
JJJ1	13A-006-020	
ASL1	13A-006-020(A)(5)	
ASS2	13A-006-021	
RAP1	13A-006-061	
RAP2	13A-006-062	
SOD1	13A-006-063	
SOD2	13A-006-064	
STSA	13A-006-065.1	
SXA1	13A-006-066	
SX2F	13A-006-067	
ECHI	13A-006-069	
SX12	13A-006-069.1	
SCBC	12A-006-110	
BUR1	13A-007-005	
BUR2	13A-007-006	
BUR3	13A-007-007	
TFT1	13A-008-003	
TOD1	13A-008-003	
TOP1	13A-008-0033	
TPC1	13A-008-003	
TFT2	13A-008-004	
TOD2	13A-008-004	
TOP2	13A-005-004	
TPC2	13A-008-004	
TLP1	13A-008-007	
TLP2	13A-008-008	
TTTS	13A-005-010.4	

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Alabama felony offenses which have been declared or determined by an Alabama appellate court, a state statute or an Attorney General's opinion to "involve moral turpitude"

Code	Code Section	Class	Category	Common Name
HOMI	014-314-	A	PE	Murder (Old Code)
CM01	13A-005-040(A)(1)	U	PE	Murder Capital-Kidnap
CM10	13A-005-040(A)(10)	U	PE	Murder Capital-Two or more per
CM11	13A-005-040(A)(11)	U	PE	Murder Capital-Public Official
CM12	13A-005-040(A)(12)	U	PE	Murder Capital-Airplane Hijack
CM13	13A-005-040(A)(13)	U	PE	Murder Capital-20YR Prior Con
CM14	13A-005-040(A)(14)	U	PE	Murder Capital-Witness
CM15	13A-005-040(A)(15)	U	PE	Murder Capital-Under 14 years
CM16	13A-005-040(A)(16)	U	PE	Murder Capital-Dwell fm Outside
CM17	13A-005-040(A)(17)	U	PE	Murder Capital-Veh fm Outside
CM18	13A-005-040(A)(18)	U	PE	Murder Capital-Fired from Vehi
CM02	13A-005-040(A)(2)	U	PE	Murder Capital-Robbery
CM03	13A-005-040(A)(3)	U	PE	Murder Capital-Rape/Sodomy
CM04	13A-005-040(A)(4)	U	PE	Murder Capital-Burglary
CM05	13A-005-040(A)(5)	U	PE	Murder Capital-Law Off/Guard
CM06	13A-005-040(A)(6)	U	PE	Murder Capital-Life Sentence
CM07	13A-005-040(A)(7)	U	PE	Murder Capital-For Hire
CM08	13A-005-040(A)(8)	U	PE	Murder Capital-Sexual Abuse
CM09	13A-005-040(A)(9)	U	PE	Murder Capital-Arson
MURD	13A-006-002	A	PE	Murder
MURR	13A-006-002(A)(2)	A	PE	Murder-Reckless/Vehicle
FMUR	13A-006-002(A)(3)	A	PE	Felony Murder
MANS	13A-006-003	B	PE	Manslaughter
JJJ1	13A-006-020	B	PE	Assault 1st Degree
ASL1	13A-006-020(A)(5)	B	PE	Assault 1st Degree (Liquor)
ASS2	13A-006-021	C	PE	Assault 2nd Degree
RAP1	13A-006-061	A	SX	Rape 1st Degree
RAP2	13A-006-062	B	SX	Rape 2nd Degree
SOD1	13A-006-063	A	SX	Sodomy 1st Degree
SOD2	13A-006-064	B	SX	Sodomy 2nd Degree
STSA	13A-006-065.1	A	SX	Sexual Torture/Abuse
SXA1	13A-006-066	C	SX	Sexual Abuse 1st Degree
SX2F	13A-006-067	C	SX	Sexual Abuse 2nd Degree
ECHI	13A-006-069	C	SX	Enticing Child to Enter
SX12	13A-006-069.1	B	PE	Sex Abuse-Child less 12 YOA
SCBC	12A-006-110	B	PE	Solicitation of Child by Compu
BUR1	13A-007-005	A	PR	Burglary 1st Degree
BUR2	13A-007-006	B	PR	Burglary 2nd Degree
BUR3	13A-007-007	C	PR	Burglary 3rd Degree
TFT1	13A-008-003	B	PR	TOP1-Shop Lifting
TOD1	13A-008-003	B	PR	Theft by Decept 1st
TOP1	13A-008-0033	B	PR	Theft of Prop 1st
TPC1	13A-008-003	B	PR	Theft 1st Deg - Charitable Org
TFT2	13A-008-004	C	PR	TOP2-Shop Lifting
TOD2	13A-008-004	C	PR	Theft/Deception 2nd
TOP2	13A-005-004	C	PR	Theft of Prop 2nd
TPC2	13A-008-004	C	PR	Theft 2nd Deg - Charitable Org
TLP1	13A-008-007	B	PR	Theft Lost Prty 1st
TLP2	13A-008-008	C	PR	Theft Lost Prty 2nd
TTTS	13A-005-010.4	C	PR	Theft Trade Secret/Trademark

Code	Code Section	Class	Category	Common Name
VIDE	13A-005-010.4	C	PR	Theft Trade Secret/Trademark
ROB1	13A-008-041	A	PE	Robberty 1st
ROB2	13A-005-42	B	PE	Robbery 2nd
ROB3	13A-005-043	C	PE	Robbery 3rd
FOR1	13A-009-002	B	PR	Forgery 1st
FOR2	13A-009-003	C	PR	Forgery 2nd
TREA	13A-011-002	A	GP	Treason
MIOB	13A-012-191	B	SX	Porn Obscene Matter Display Mi
POBM	13A-012-192(A)	B	SX	Porn Intent to Distribute
PMIO	13A-012-192(B)	C	SX	Porn Poss Material Minors
MIPR	13A-012-196	A	SX	Prn Parent/Minors in Sex
POMA	13A-012-197	A	SX	Porn-Producing w/ Minors
PSMF	13A-012-200.2(1)	C	SX	Obscene Material-Dist/Poss
PISF	13A-012-200.2(2)	C	SX	Obscene Material-Dist/Poss WHO
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Seventeenth Edition



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Library of Congress Catalog Card Number
2001-133213

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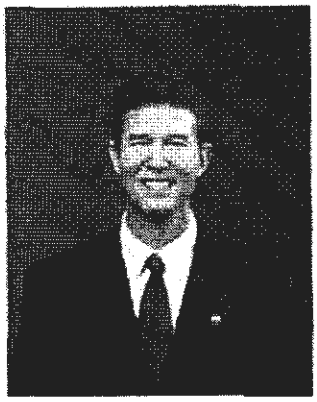
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JOHN H. MERRILL
SECRETARY OF STATE



Dear Citizens of Alabama:

I am pleased to present the 17th edition of the *Alabama Election Handbook.* Our Elections Division here at the Secretary of State's Office, along with the Alabama Law Institute's assistance, has worked diligently to compose this detailed guide to Alabama's election system.

This publication, which is a combination of the original *Alabama Election Handbook* and Dr. Robert Montjoy's *Alabama Election Official's Handbook,* has served as a helpful resource in our state for over 50 years, and we hope to improve the quality and content of the work with each new edition.

For additional information and resources regarding elections, visit our websites at www.sos.alabama.gov and www.alabamavotes.gov. If you have any questions, please call our Elections Division at 334-242-7210, or you may call toll free at 1-800-274-8683.

We're honored to serve you and our wonderful state.

Sincerely,

John H. Merrill

6.7 Qualification for Registration of a Voter

As in other states, a person must meet certain requirements of age and citizenship to qualify as a voter. No person is entitled to vote unless he or she is 18 years of age and a citizen of the United States. U.S. Constitution, Amend. XXVI.

In 1970, a federal court ruled that Alabama's constitutional residence requirement pertaining to counties and precincts was unconstitutional. *Hadnott v. Amos*, 320 F.Supp. 107 (M.D. Ala. 1970), aff'd 401 U.S. 968, 91 S.Ct. 1189, 28 L.Ed.2d 318 (1971) and aff'd *Amos v. Hadnott*, 405 U.S. 1035, 92 S.Ct. 1304, 31 L.Ed.2d 576 (1972). This effectively repealed Amendment 207 to the Alabama Constitution, which required a residency requirement of one year in the state, six months in the county and three months in the precinct or ward. The state no longer has a durational residence requirement for state, county, or federal elections. However, the municipal election laws require a 30-day period of residence as a qualification for voting in municipal elections. The voter in a municipal election, like all voters, is required to register more than 10 days prior to the election. §§ 11-46-38, 11-46-109 and 17-3-50.

Individuals declared mentally incompetent by a court of proper jurisdiction and persons convicted of felony offenses involving moral turpitude are disqualified from registering and voting.

Persons seeking to register to vote are required to fill out an application or a form promulgated by rule by the secretary of state. § 17-3-52. Ala. Con. of 1901, Art. VIII, § 177, 182 AG Op. 05-0092 (2005).

The application for voter registration must also contain a statement that the applicant will be required to provide required identification when voting. § 31-13-28.

6.8 Restoration of Voting Rights of a Convicted Felon

The law governing the restoration of voting rights was amended in the Second Special Session of the Legislature in 2003. Under the 2003 amendment, persons convicted of a felony offense involving moral turpitude may have their voting rights restored by making application to the State Board of Pardons and Paroles. The Board of Pardons and Paroles

shall grant a "Certificate of Eligibility to Register to Vote" to any convicted felon who has completed the terms of the sentence for the conviction and who no longer has other felony charges pending against him or her. § 15-22-36.1. However, one convicted of any one of fifteen crimes listed in the Act is not eligible for restoration of voting rights. § 15-22-36.1.

Section 15-22-36.1 of the Code of Alabama 1975 outlines who is eligible to receive a certificate of eligibility to register to vote. The Alabama Board of Pardons and Paroles began issuing these certificates in October 2003 using the following guidelines:

6.8.1 Process for Issuing a Certificate of Eligibility

(1) A person may apply by one of the following three methods: Going to the State Pardons and Paroles office nearest to where he/she lives, calling the Pardon Unit at the following number: (334) 242-8700, choosing the option to speak with Pardon Unit staff OR contacting the Board of Pardons and Paroles in writing at P.O. Box 302405, Montgomery, AL 36130-2405. The request should include all of the following information:

(a) Name under which convicted;
(b) True name;
(c) Sex and race;
(d) Date of birth;
(e) Social Security number;
(f) AIS# (Alabama Prison number), if you have one;
(g) Current physical address including county;
(h) Current mailing address, if different;
(i) Indicate if the conviction was a State or Federal Conviction;
(j) Home telephone number, including area code;
(k) Work or alternate telephone number, including area code; and,
(l) Complete list of charges, county & year of conviction.

(2) Once the application is received the investigation is assigned to the State Pardons & Paroles office nearest to where the applicant lives. The officer runs a criminal history to determine what

disqualifying convictions need to be included. The officer then verifies the applicant meets the eligibility requirements.

(3) If the applicant meets the requirements, a checklist is submitted to a senior officer in the pardon unit at the Board of Pardons and Paroles.

(4) A senior officer reviews the checklist and prepares it for board review. The file is submitted to the board for a period of 5 days. During this 5-day period, the board can object if they determine the eligibility requirements have not been met. If an objection occurs, the board will hear the matter at the next hearing docket.

(5) If there are no objections by the board, a certificate is issued and signed by the Director of the Board of Pardons and Paroles.

NOTE: The time frame for a certificate of eligibility is 45 days.

6.8.2 Eligibility Requirements for Restoration of Voting Rights

(a) The applicant cannot have a conviction for one of the following:

Impeachment; treason; murder; rape (any degree); sodomy (any degree); sexual abuse (any degree); incest; sexual torture; enticing a child to enter a vehicle for immoral purposes; soliciting a child by computer; production of obscene matter involving a minor; production of obscene matter; parents or guardians permitting children to engage in obscene matter; possession of obscene matter; or possession with intent to distribute child pornography.

(b) The applicant cannot have any felony charges pending against him.

(c) The applicant must have finished his sentence and not be under probation or parole supervision.

(d) The applicant must not owe any court ordered monies on his disqualifying case(s) or supervision fees.

NOTE: The board can issue a certificate for Alabama residents with state convictions from Alabama or federal convictions from Alabama or other states as long as the requirements are met and verified.

6.8.3 Actions That Do Not Result In A Loss of Voting Rights

(a) People who only have youthful offender adjudications;

(b) People who only have misdemeanor convictions;

(c) People who were charged with a felony that was nol prossed or dismissed;

(d) People who only have juvenile convictions; or,

(e) People who have a felony conviction that did not involve moral turpitude (see following section below for list disqualifying offenses).

6.8.4 List of Disqualifying Felony Convictions

The director of the Alabama Board of Pardons and Paroles initially requested an opinion from the attorney general regarding what crimes did and did not involve moral turpitude. AG Op. 05-0092 (2005). The Attorney General's Office, although stating they had not been provided an exhaustive list of crimes, concluded that the following felony convictions do not involve moral turpitude: felony drug possession (excludes manufacturing, sales, trafficking, etc.) and felony driving under the influence. *See Hunver v. Underwood*, 471 U.S. 222 at 226 (1985) for discussion of "involving moral turpitude".

In 2007, the Administrative Office of Courts compiled the following list of disqualifying felonies involving moral turpitude the conviction of which would disqualify and disenfranchise state citizens of their right to vote under Amendment 579 of the Alabama Constitution:

Alabama felony offenses which have been declared or determined by an Alabama appellate court, a state statute or an Attorney General's opinion to "involve moral turpitude"

Code	Code Section	Class	Category	Common Name
HOMI	014-314-	A	PE	Murder (Old Code)
CM01	13A-005-040(A)(1)	U	PE	Murder Capital-Kidnap
CM10	13A-005-040(A)(10)	U	PE	Murder Capital-Two or more per
CM11	13A-005-040(A)(11)	U	PE	Murder Capital-Public Official
CM12	13A-005-040(A)(12)	U	PE	Murder Capital-Airplane Hijack

Code	Code Section	Class	Category	Common Name
CM13	13A-005-040(A)(13)	U	PE	Murder Capital-20YR Prior Con
CM14	13A-005-040(A)(14)	U	PE	Murder Capital-Witness
CM15	13A-005-040(A)(15)	U	PE	Murder Capital-Under 14 years
CM16	13A-005-040(A)(16)	U	PE	Murder Capital-Dwell fm Outside
CM17	13A-005-040(A)(17)	U	PE	Murder Capital-Veh fm Outside
CM18	13A-005-040(A)(18)	U	PE	Murder Capital-Fired from Vehi
CM02	13A-005-040(A)(2)	U	PE	Murder Capital-Robbery
CM03	13A-005-040(A)(3)	U	PE	Murder Capital-Rape/Sodomy
CM04	13A-005-040(A)(4)	U	PE	Murder Capital-Burglary
CM05	13A-005-040(A)(5)	U	PE	Murder Capital-Law Off/Guard
CM06	13A-005-040(A)(6)	U	PE	Murder Capital-Life Sentence
CM07	13A-005-040(A)(7)	U	PE	Murder Capital-For Hire
CM08	13A-005-040(A)(8)	U	PE	Murder Capital-Sexual Abuse
CM09	13A-005-040(A)(9)	U	PE	Murder Capital-Arson
MURD	13A-006-002	A	PE	Murder
MURR	13A-006-002(A)(2)	A	PE	Murder-Reckless/Vehicle
FMUR	13A-006-002(A)(3)	A	PE	Felony Murder
MANS	13A-006-003	B	PE	Manslaughter
JJJ1	13A-006-020	B	PE	Assault 1st Degree
ASL1	13A-006-020(A)(5)	B	PE	Assault 1st Degree (Liquor)
ASS2	13A-006-021	C	PE	Assault 2nd Degree
RAP1	13A-006-061	A	SX	Rape 1st Degree
RAP2	13A-006-062	B	SX	Rape 2nd Degree
SOD1	13A-006-063	A	SX	Sodomy 1st Degree
SOD2	13A-006-064	B	SX	Sodomy 2nd Degree
STSA	13A-006-065.1	A	SX	Sexual Torture/Abuse
SXA1	13A-006-066	C	SX	Sexual Abuse 1st Degree
SX2F	13A-006-067	C	SX	Sexual Abuse 2nd Degree
ECHI	13A-006-069	C	SX	Enticing Child to Enter
SX12	13A-006-069.1	B	PE	Sex Abuse-Child less 12 YOA
SCBC	12A-006-110	B	PE	Solicitation of Child by Compu
BUR1	13A-007-005	A	PR	Burglary 1st Degree
BUR2	13A-007-006	B	PR	Burglary 2nd Degree
BUR3	13A-007-007	C	PR	Burglary 3rd Degree
TFT1	13A-008-003	B	PR	TOP1-Shop Lifting
TOD1	13A-008-003	B	PR	Theft by Decept 1st
TOP1	13A-008-0033	B	PR	Theft of Prop 1st
TPC1	13A-008-003	B	PR	Theft 1st Deg - Charitable Org
TFT2	13A-008-004	C	PR	TOP2-Shop Lifting
TOD2	13A-008-004	C	PR	Theft/Deception 2nd
TOP2	13A-005-004	C	PR	Theft of Prop 2nd
TPC2	13A-008-004	C	PR	Theft 2nd Deg - Charitable Org
TLP1	13A-008-007	B	PR	Theft Lost Prty 1st
TLP2	13A-008-008	C	PR	Theft Lost Prty 2nd
TTTS	13A-005-010.4	C	PR	Theft Trade Secret/Trademark
VIDE	13A-005-010.4	C	PR	Theft Trade Secret/Trademark
ROB1	13A-008-041	A	PE	Robbery 1st
ROB2	13A-005-42	B	PE	Robbery 2nd
ROB3	13A-005-043	C	PE	Robbery 3rd
FOR1	13A-009-002	B	PR	Forgery 1st
FOR2	13A-009-003	C	PR	Forgery 2nd
TREA	13A-011-002	A	GP	Treason
MIOB	13A-012-191	B	SX	Porn Obscene Matter Display Mi
POBM	13A-012-192(A)	B	SX	Porn Intent to Distribute
PMIO	13A-012-192(B)	C	SX	Porn Poss Material Minors
MIPR	13A-012-196	A	SX	Prn Parent/Minors in Sex
POMA	13A-012-197	A	SX	Porn-Producing w/ Minors
PSMF	13A-012-200.2(1)	C	SX	Obscene Material-Dist/Poss
PISF	13A-012-200.2(2)	C	SX	Obscene Material-Dist/Poss WHO
PISP	13A-012-200.2(3)	C	SX	Obscene Material-Produce
UDCS	13A-012-211	B	DR	Unlaw Distrib/Furn Cont Subst

Code	Code Section	Class	Category	Common Name
VSCO	13A-012-211	B	DR	Sale Cocaine
VSMA	13A-012-211	B	DR	Sale Marijuana
VAPF	13A-012-213	C	DR	Poss Marijuana 1st
BIGA	13A-013-001	C	PE	Bigamy
INCE	13A-013-003	C	PR	Incest

Subsequently, the legal director of the Administrative Office of Courts in a memorandum to county election officials clarified as follows that not all convictions for possessing marijuana under § 13A-12-213 involve moral turpitude:

"...a conviction under subsection (a)(2) of § 13A-12-213 is not a felony involving moral turpitude, since the possession is for personal use only. However, if the conviction is under subsection (a)(1), which is possession for purposes other than personal use, *i.e.,* for sale, then the conviction is one of a felony involving moral turpitude.

Possession of marijuana, second degree, § 13A-12-214, is not a felony and thus a conviction under this statute is not, under any circumstances, a disenfranchising felony involving moral turpitude.

This distinction between subsection (a)(1) and (a)(2) of § 13A-12-213 is of critical importance, since if it is not observed, erroneous and illegal disqualification of voters or persons registering to vote will occur."

Amendment 579 of the Alabama Constitution, ratified on June 19, 1996, restored voting rights to Alabamians with convictions that did not involve moral turpitude.

6.9 Judicial Review

Registration is at the discretion of the board of registrars. § 17-3-54. Persons denied registration may appeal to the probate court to have their qualifications for voting judicially determined. One may appeal from the probate court to the circuit court and from there to the Alabama Supreme Court. § 17-3-55.

EXHIBIT 2

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THE VOTER DISENFRANCHISEMENT AND RESTORATION OF VOTING RIGHTS EXPLORATORY COMMITTEE
NOVEMBER 18, 2015
ALABAMA STATE CAPITOL
MONTGOMERY, ALABAMA

Members present were Ms. Darlene Biehl, Volunteer Crime Victim's Advocate; Ms. Holly Caraway, Chief Counsel for the Office of the Minority Senate Leader, representing Alabama State Senator Linda Coleman; Mr. Michael Coleman, Executive Director of Hope Ministries; Mr. Jefferson Dunn, Commissioner Alabama Department of Corrections; Ms. Carol Hill, Registrar for the Shelby County Board of Registrars; Mr. Quin Hillyer, Freelance Journalist; Mr. Tim Jolley, Circuit Judge for the 27th Judicial Circuit; Ms. Summer Scruggs, Circuit Clerk for the Clarke County Circuit Court; Mr. Cliff Walker, Chairman of the Alabama Board of Pardons and Paroles; Ms. Marissa Dodson, representative from the American Civil Liberties Union, representing Mr. Will Harrell; Mr. Win Johnson, representing Mr. Rich Hobson, Director of the Alabama Office of the Courts; and the Honorable John H. Merrill, Secretary of State of the State of Alabama. Absent from the meeting were Alabama State Representatives Chris England and David Faulkner and Alabama State Senator Cam Ward.

Also present were Mr. Ed Packard, Director of Elections for the Office of Secretary of State, and Mr. Richard J. Laird, Chief Legal Counsel to the Secretary of State.

CALL TO ORDER AND WELCOME

Secretary John H. Merrill called the meeting to order at 10:00 a.m. and with a quorum present, the Commission transacted the following business to-wit:

CONSIDERATION OF AMENDMENTS

Secretary Merrill began the meeting by opening a discussion about moral turpitude legislation establishing a goal for the meeting to discuss the contents of previously proposed legislation to properly define the term moral turpitude.

Carol Hill – raised a question regarding the discrepancies in crimes on a list prepared by her county clerk and a list established by the state with new legislation.

Ed Packard – discussed logistics of determining list that would be inclusive of only items that entire group agrees on.

Win Johnson – proposed postponing any vote until a history of the term moral turpitude could be established.

Ed Packard – discussed practices for restoration of rights in different states. A handout was then brought to the attention of the members which outlined the standard practices and procedures related to felony voter disenfranchisement in many of the states including many southern states.

Secretary Merrill proposed a review of the list of different practices among the southern states as the direction that the committee should direct its attention. He then introduces Ms. Marissa Dodson, from the ACLU to make comment on the issue.

Marissa Dodson – brings up the idea of automatic restoration for discussion. Focus is whether an automatic process could be considered upon completion of sentence and once the citizen had paid all restitution related fees.

Secretary Merrill – If someone has paid the state by serving their sentence and has paid all required restitution, is anyone opposed to a systematic method of automatic restoration?

Quin Hillyer – Brings up incentives as a way that prevents crime. What would be in the incentives to protect the people?

Long discussion then takes place regarding burden of court cost and fees and a debate as to the justification for allowing a reinstatement of rights to people that have indicated poor or lack of character.

Quin Hillyer – proposes removing court cost and fees from requirements to reenfranchisement

Extensive discussion followed showing the presence of some disagreement as to whether or not fines, fees, and court costs are an aspect of punishment or not, and whether or not they should be included in the requirements for reinstatement.

Secretary Merrill – At the conclusion of the discussion Secretary Merrill asked if there was anyone that disagreed with automatic restoration.

Quin Hillyer and a few others voiced concerns regarding the automatic reinstatement of rights.

SECRETARY MERRILL CONCLUDED THE MEETING BY ESTABLISHING THREE MAJOR ISSUES NEEDING TO BE DECIDED ARE (1) WE NEED TO ESTABLISH WHAT IS MEANT BY AUTOMATIC RESTORATION (2) IF AUTOMATIC RESTORATION IS A FAVORABLE OPTION AND (3) IF THE MAIN OBJECT SHOULD CENTER AROUND A REFORMATION OF THE PROCESS OF RIGHTS RESTORATION.

ADJOURNMENT

Before adjourning the committee decided to reconvene December 21, 2015 from 10:00 a.m. through 1:30 p.m. with lunch being provided by the Secretary of State's Office.

With no other business before the body the Commission adjourned at 11:30 p.m.

X John H. Merrill

John H. Merrill
Alabama Secretary of State

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THE VOTER DISENFRANCHISEMENT AND RESTORATION OF VOTING RIGHTS EXPLORATORY COMMITTEE
DECEMBER 21, 2015
ALABAMA STATE CAPITOL
MONTGOMERY, ALABAMA

Members present were Ms. Darlene Biehl, Volunteer Crime Victim's Advocate, Minority Senate Leader and Alabama State Senator Linda Coleman; Mr. Michael Coleman, Executive Director of Hope Ministries; Mr. Jefferson Dunn, Commissioner Alabama Department of Corrections; Mr. Kenneth Glasgow, Pastor at the Ordinary People Society; Ms. Carol Hill, Registrar for the Shelby County Board of Registrars; Mr. Tim Jolley, Circuit Judge for the 27th Judicial Circuit; Mr. Cliff Walker, Chairman of the Alabama Board of Pardons and Paroles; Ms. Will Harrell, representing the American Civil Liberties Union; Mr. Win Johnson, representing Mr. Rich Hobson, Director of the Alabama Office of the Courts; and the Honorable John H. Merrill, Secretary of State of the State of Alabama. Absent from the meeting were Alabama State Representatives Chris England and David Faulkner and Alabama State Senator Cam Ward.

Also present were Mr. Ed Packard, Director of Elections for the Office of Secretary of State, and Judge Richard J. Laird, Chief Legal Counsel to the Secretary of State.

CALL TO ORDER AND WELCOME

Secretary John H. Merrill called the meeting to order at 10:00 a.m. and with a quorum present, the Commission transacted the following business to-wit:

CONSIDERATION OF AMENDMENTS

Secretary Merrill began the meeting with a brief discussion regarding the impetus of the committee and their objectives in meeting. He then called upon Mr. Ed Packard to lead the review of the documents supplied by various members of the committee.

Ed Packard – Began the discussion with Will Harrell from the American Civil Liberties Union to discuss the handout supplied by his office.

Will Harrell – Introduced and discussed handouts submitted by his office.

Ed Packard – Next Ed introduced Win Johnson of the Administrative Office of the Courts to review the items he had submitted for the committee to review.

Win Johnson – Discussed documents submitted before turning conversation and debate to the extent to which moral turpitude would be defined. (more specifically whether or not a constitutional amendment would be required).

Secretary Merrill – Narrows focus back to defining moral turpitude only in relation to election law. And directs members that the intent is to give a complete package to the legislative team that will carry the bill so that there are as few policy concerns as possible.

Senator Coleman - Concurred with Secretary Merrill in directing the members to be intentional about what laws they select because legislators will be hyper critical before passage.

Win Johnson – Begins discussion of historical aspects and reasoning of the term moral turpitude as it relates to Alabama law.

Secretary Merrill – Recognized John Pickens of Alabama Appleseed to give presentation to the group regarding history of the term in Alabama law.

Secretary Merrill – Posed the following question: With the exception of the 15 laws already included in the current law as requiring a pardon are there any that anyone would wish to add:

A group consensus was reached regarding the addition of Human Trafficking and a discussion of the inclusion of Terrorism followed but no conclusion was reached.

GROUP BRIEFLY RECESSED TO GET LUNCH AND DRINK BEFORE RETURNING TO MEETING

Following return from lunch presentation from pardons and paroles.

Win Johnson – Brought up importance of fees remaining a focal point and the idea that they might not get paid.

Extensive discussion followed showing the presence of some disagreement as to whether or not fines, fees, and court costs are an aspect of punishment or not, and whether or not they should be included in the requirements for reinstatement.

Ed Packard – Following the discussion Ed was asked to give a synopsis or recommendation based upon what he had heard from the committee. That list is as follows:

1. Term of Sentence – including parole or probation
2. Restitution Payments Complete
3. Right to Vote – Auto restored following completion of One and Two
4. Fees & Fines – will be paid as prescribed by the judge

Secretary Merrill – After Ed outlined his point above Secretary Merrill then informed the committee that draft legislation would be created before the next meeting for the members to review.

A conversation then ensued which resulted in the creation of a subcommittee lead by Ed Packard to review the full list of crimes and to determine if any concerns or discrepancies exist. The subcommittee members are as follows:

1. Ed Packard
2. Carol Hill
3. Judge Tim Jolley
4. Win Johnson
5. Pastor Glasgow
6. Senator Linda Coleman
7. Judge Joel Laird

SECRETARY MERRILL CONCLUDED THE MEETING BY ESTABLISHING THAT BEFORE THE NEXT MEETING DRAFT LEGISLATION WOULD BE PREPARED AND SUBMITTED FOR THE COMMITTEES REVIEW.

ADJOURNMENT

Before adjourning the committee decided to reconvene January 20, 2016 from 2:00 p.m. through 4:00 p.m. Lunch will not be provided for this meeting.

With no other business before the body the Commission adjourned at 1:30 p.m.

X

John H. Merrill
Alabama Secretary of State

The Voter Disenfranchisement and Restoration of Rights Exploratory Committee

Minutes of the Meeting
January 20, 2016 at 2:00PM
Alabama State House, Room 617
Montgomery, Alabama

Members attending the Committee meeting included John H. Merrill, Secretary of State; State Senator Linda Coleman; State Senator Cam Ward; State Representative David Faulkner; Michael Coleman, Executive Director of Hope Inspired Ministries; Darlene Biehl, crime victim's advocate; Jeff Dunn, Commissioner of the Department of Corrections; Pastor Kenneth Glasgow, representing The Ordinary Peoples Society; Will Harrell, representing the American Civil Liberties Union; Carol Hill, member of the Shelby County Board of Registrars; Quin Hillyer, freelance journalist; Win Johnson, representing Rich Hobson, Director of the Administrative Office of the Courts; Summer Scruggs, Circuit Clerk of Clarke County; Gabrelle Simmons, representing Cliff Walker, Chairman of the Alabama Board of Pardons and Paroles. Also in attendance were Joel Laird, General Counsel for the Secretary of State, and Ed Packard, Director of Elections for the Secretary of State

Secretary Merrill opened the meeting by welcoming the members of the Committee and members of the public who came to observe the meeting.

Ed Packard, chair of the Subcommittee on Moral Turpitude Crimes, provided a summary of the Subcommittee's work and discussion of which felony crimes in Alabama should be defined as "moral turpitude crimes." Mr. Packard related that a majority of the members of the Subcommittee were leaning toward defining as moral turpitude felonies only those crimes currently identified in state law as requiring a full pardon from the Board of Pardons and Paroles for restoration of voting rights.

Secretary Merrill lead a discussion of a draft bill prepared by Ed Packard that would identify which felony crimes are crimes of moral turpitude and thus would lead to a loss of voting rights under the state constitution. The discussion focused on whether any of the crimes identified in the draft bill should be removed from the listing. While no crimes were removed from the listing, the Committee agreed to add the following crimes to the bill: kidnapping in the first or second degree; aggravated child abuse, and drug trafficking. The Committee approved the draft bill with these modifications by a unanimous vote of those casting a vote and with 3 abstentions.

Secretary Merrill lead a discussion of a draft bill prepared by Ed Packard that would modify the requirements and procedures for having voting rights restored after a conviction for a disqualifying felony of moral turpitude. Gabrelle Simmons, representing the Board of Pardons and Paroles commented on provisions related to the Boards Executive Director and requested that those provisions allow a senior staff member or some designee of the Executive Director to assist the Executive Director. Ms. Simmons also commented on the lengthy and resource-intensive appeals process provided in the draft. The Committee agreed and requested that modifications be made to address all of Ms. Simmons concerns.

The Committee agreed that the bill should state that a person must pay all court costs, fines, fees and victim restitution prior to having one's voting rights restored. The Committee further agreed, however, that fees assessed against an offender after the original conviction in the same case should be excluded from this requirement.

The Committee agreed that the bill should include language requiring all correctional facilities post notices regarding the requirements and procedures for having one's voting rights restored after conviction for a disqualifying felony conviction.

The Committee approved the draft bill with these modifications by a unanimous vote.

With no other business to be conducted, the meeting was adjourned.



EXHIBIT 3

ACT #2017-378

HB282

178796-3

By Representative Jones

RFD: Judiciary

First Read: 21-FEB-17



HB282

ENROLLED, An Act,

To add Section 17-3-30.1 to the Code of Alabama 1975, to create the Felony Voter Disqualification Act; to establish a comprehensive list of felonies that involve moral turpitude which disqualify a person from exercising his or her right to vote; and to amend Sections 17-4-3 and 17-4-4, Code of Alabama 1975, relating to voter registration lists, to provide procedures for the Board of Pardons and Paroles and the Secretary of State to follow to purge certain disqualified voters from voter registration lists.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 17-3-30.1 is added to the Code of Alabama 1975, to read as follows:

§17-3-30.1.

(a) This section shall be known and may be cited as the Felony Voter Disqualification Act.

(b)(1) The Legislature finds and declares that:

a. Article VIII of the Constitution of Alabama of 1901, now appearing as Section 177 of Article VIII of the Official Recompilation of the Constitution of Alabama of 1901, as amended, provides that Alabama citizens shall lose the right to vote when convicted of a crime only if the conviction was for a felony involving moral turpitude.

b. Under general law, there is no comprehensive list of felonies that involve moral turpitude which disqualify a person from exercising his or her right to vote. Neither individuals with felony convictions nor election officials have a comprehensive, authoritative source for determining if a felony conviction involves moral turpitude and is therefore a disqualifying felony.

(2) The purposes of this section are:

a. To give full effect to Article VIII of the Constitution of Alabama of 1901, now appearing as Section 177 of Article VIII of the Official Recompilation of the Constitution of Alabama of 1901, as amended.

b. To ensure that no one is wrongly excluded from the electoral franchise.

c. 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.

(c) For purposes of Article VIII of the Constitution of Alabama of 1901, now appearing as Section 177 of Article VIII of the Official Recompilation of the Constitution of Alabama of 1901, as amended, a person is disqualified to vote by reason of conviction of a felony involving moral turpitude only when convicted of any of the following offenses in a degree constituting a felony:

(1) Murder as defined in the following sections:

a. Subdivision (1) of subsection (a) of Section 13A-5-40.

b. Subdivision (2) of subsection (a) of Section 13A-5-40.

c. Subdivision (3) of subsection (a) of Section 13A-5-40.

d. Subdivision (4) of subsection (a) of Section 13A-5-40.

e. Subdivision (5) of subsection (a) of Section 13A-5-40.

f. Subdivision (6) of subsection (a) of Section 13A-5-40.

g. Subdivision (7) of subsection (a) of Section 13A-5-40.

h. Subdivision (8) of subsection (a) of Section 13A-5-40.

i. Subdivision (9) of subsection (a) of Section 13A-5-40.

j. Subdivision (10) of subsection (a) of Section 13A-5-40.

k. Subdivision (11) of subsection (a) of Section 13A-5-40.

l. Subdivision (12) of subsection (a) of Section 13A-5-40.

m. Subdivision (13) of subsection (a) of Section 13A-5-40.

n. Subdivision (14) of subsection (a) of Section 13A-5-40.

o. Subdivision (15) of subsection (a) of Section 13A-5-40.

p. Subdivision (16) of subsection (a) of Section 13A-5-40.

q. Subdivision (17) of subsection (a) of Section 13A-5-40.

r. Subdivision (18) of subsection (a) of Section 13A-5-40.

s. Subdivision (19) of subsection (a) of Section 13A-5-40.

t. Section 13A-6-2.

(2) Manslaughter as defined in Section 13A-6-3.

(3) Assault as defined in Section 13A-6-20, except for subdivision (5) of subsection (a) of Section 13A-6-20, and Section 13A-6-21.

(4) Kidnapping in the first degree as defined in Section 13A-6-43.

(5) Kidnapping in the second degree as defined in Section 13A-6-44.

(6) Rape as defined in Sections 13A-6-61 and 13A-6-62.

(7) Sodomy as defined in Sections 13A-6-63 and 13A-6-64.

(8) Sexual torture as defined in Section 13A-6-65.1.

(9) Sexual abuse as defined in Sections 13A-6-66, 13A-6-67, and 13A-6-69.1.

(10) Enticing a child to enter a vehicle for immoral purposes as defined in Section 13A-6-69.

~~(11) Soliciting a child by computer as defined in Section 13A-6-110.~~

(11) Facilitating solicitation of unlawful sexual conduct with a child as defined in Section 13A-6-121.

(12) Electronic solicitation of a child as defined in Section 13A-6-122.

(13) Facilitating the on-line solicitation of a child as defined in Section 13A-6-123.

(14) Traveling to meet a child for an unlawful sex act as defined in Section 13A-6-124.

(15) Facilitating the travel of a child for an unlawful sex act as defined in Section 13A-6-125.

(16) Human trafficking as defined in Sections 13A-6-152 and 13A-6-153.

(17) Terrorism as defined in Section 13A-10-152.

(18) Soliciting or providing support for an act of terrorism as defined in Section 13A-10-153.

(19) Hindering prosecution of terrorism as defined in Section 13A-10-154.

(20) Endangering the water supply as defined in Section 13A-10-171.

(21) Possession, manufacture, transport, or distribution of a destructive device or bacteriological or biological weapon as defined in Section 13A-10-193.

(22) 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 as defined in Section 13A-10-194.

(23) Possession, manufacture, transport, or distribution of a detonator, explosive, poison, or hoax device as defined in Section 13A-10-195.

(24) Possession or distribution of a hoax device represented as a destructive device or weapon as defined in subsection (c) of Section 13A-10-196.

(25) Attempt to commit an explosives or destructive device or bacteriological or biological weapons crime as defined in Section 13A-10-197.

(26) Conspiracy to commit an explosives or destructive device or bacteriological or biological weapons crime as defined in Section 13A-10-198.

(27) Hindrance or obstruction during detection, disarming, or destruction of a destructive device or weapon as defined in Section 13A-10-199.

(28) Possession or distribution of a destructive device or weapon intended to cause injury or destruction as defined in Section 13A-10-200.

(29) Treason as defined in Section 13A-11-2.

(30) Dissemination or public display of obscene matter containing visual depiction of persons under 17 years of age involved in obscene acts as defined in Section 13A-12-191.

(31) Possession and possession with intent to disseminate obscene matter containing visual depiction of persons under 17 years of age involved in obscene acts as defined in Section 13A-12-192.

(32) Parents or guardians permitting children to engage in production of obscene matter as defined in Section 13A-12-196.

(33) Production of obscene matter containing visual depiction of persons under 17 years of age involved in obscene acts as defined in Section 13A-12-197.

(34) Distribution, possession with intent to distribute, production of obscene material, or offer or agreement to distribute or produce, as defined in Section 13A-12-200.2.

(35) Trafficking in cannabis, cocaine, or other illegal drugs or trafficking in amphetamine and methamphetamine as defined in Section 13A-12-231.

(36) Bigamy as defined in Section 13A-13-1.

(37) Incest as defined in Section 13A-13-3.

(38) Torture or other willful maltreatment of a child under the age of 18 as defined in Section 26-15-3.

(39) Aggravated child abuse as defined in Section 26-15-3.1.

(40) Prohibited acts in the offer, sale, or purchase of securities as defined in Section 8-6-17.

(41) Burglary as defined in Sections 13A-7-5 and 13A-7-6.

(42) Theft of property as defined in Sections 13A-8-3 and 13A-8-4.

(43) Theft of lost property as defined in Sections 13A-8-7 and 13A-8-8.

(44) Theft of trademarks or trade secrets as defined in Section 13A-8-10.4.

(45) Robbery as defined in Sections 13A-8-41, 13A-8-42, and 13A-8-43.

(46) Forgery as defined in Sections 13A-9-2 and 13A-9-3.

(47) 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.

(d) Nothing in this section shall be interpreted as determining moral turpitude for any purpose other than disqualifying a person from exercising his or her right to vote.

(e) The felonies involving moral turpitude listed in subsection (c) are the only felonies for which a person, upon conviction, may be disqualified from voting. Additional felonies may be added to the list in subsection (c) only by amendment to this section.

Section 2. Sections 17-4-3 and 17-4-4 of the Code of Alabama 1975, are amended to read as follows:

"§17-4-3.

"(a) Each county board of registrars shall purge the computerized statewide voter registration list on a continuous basis, whenever it receives and confirms information that a person registered to vote in that county has died, become a nonresident of the state or county, been declared mentally incompetent, been convicted of any offense ~~mentioned in~~ designated pursuant to Section 17-3-30.1 as a felony involving moral turpitude for the purposes of Article VIII of the Constitution of Alabama of 1901 since being registered, or otherwise become disqualified as an elector. ~~A~~ Except as provided below, a person convicted of a disqualifying criminal

offense ~~must~~ shall be notified by certified mail sent to the voter's last known address of the board's intention to strike his or her name from the list. No person convicted of a disqualifying crime may be stricken from the poll list while an appeal from the conviction is pending.

"(b) On the date set in the notice, or at a later date to which the case may have been continued by the board, the board shall proceed to consider the case of the elector whose name it proposes to strike from the registration list and make its determination. Any person whose name is stricken from the list may appeal from the decision of the board without giving security for costs, and the board shall forthwith certify the proceedings to the judge of probate who shall docket the case in the probate court.

"(c) An appeal from the judge of probate shall be as appeals set forth in Section 17-3-55.

"(d) In the event the Board of Pardons and Paroles is supervising a person convicted of a disqualifying criminal offense on probation or parole, and the person has received face-to-face counseling from the supervising officer regarding voter disqualification and executed documentation explaining the loss and restoration of civil and political rights, upon receipt of the documentation, signed by the disqualified elector, the county board of registrars shall be exempt from providing notice as otherwise required by this section. The

document administered by the Board of Pardons and Paroles and to be signed by the disqualified elector shall contain the following statement: "Any person convicted of a disqualifying felony loses his or her civil and political rights, which includes the right to vote. Restoration of these rights may be applied for through the Central Montgomery Office of the Board of Pardons and Paroles, but only upon completion of the requirements of Section 15-22-36.1."

"(e) The Board of Pardons and Paroles shall provide signed documentation to county boards of registrars to indicate those persons under probation or parole supervision with the board who have been convicted of a disqualifying criminal offense and been counseled regarding voter disqualification and the restoration of civil and political rights, and may otherwise share privileged records and files with county boards of registrars for the limited purpose of implementing the requirements of this section.

"(f) When the board has sufficient evidence furnished it that any elector has permanently moved from one precinct to another within the county, it shall change the elector's precinct designation in the voter registration list, and shall give notice by mail to the elector of the precinct in which the elector is registered to vote.

"(g) The Secretary of State and the Board of Pardons and Paroles may promulgate rules in accordance with the

Alabama Administrative Procedure Act as necessary to implement this section.

"§17-4-4.

"(a) In addition to all other duties now required by law, the Office of Vital Statistics of the State Department of Public Health shall furnish to the board of registrars of the county in which such district is located, once each month, a report of the death of all persons over 18 years of age who resided in such registration district.

"(b) In addition to all other duties now required by law, the judges of probate of the several counties of this state shall furnish to the board of registrars of their respective counties, once each month, a list of all residents of the county, 18 years of age or over, who have been declared mentally incompetent.

"(c) In addition to all other duties required by law, the clerks of the circuit and district courts of this state shall furnish to the board of registrars of each county, once each month, a list of all residents of that county who have been convicted of any offense ~~mentioned in~~ designated pursuant to Section 17-3-30.1 as a felony involving moral turpitude for the purposes of Article VIII of the Constitution of Alabama of 1901. Any person who willfully fails to perform such duties shall forfeit the sum of one hundred dollars ($100) for each such failure. Such sum may be recovered in an

action by law by any citizen of the county in which the officer acts, one half to his or her own use and one half to the use of the state.

"(d) The Secretary of State and the Board of Pardons and Paroles may promulgate rules in accordance with the Alabama Administrative Procedure Act as necessary to implement this section."

Section 3. This act shall become effective on the first day of the third month following its passage and approval by the Governor, or its otherwise becoming law.

Mac McCutcheon

Speaker of the House of Representatives

Del Marsh

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 09-MAR-17, as amended.

Jeff Woodard
Clerk

Senate 17-MAY-17 Passed

APPROVED 5-24-2017

TIME 3:40 PM

Kay Ivey
GOVERNOR

Alabama Secretary Of State

Act Num....: 2017-378
Bill Num...: H-282

Recv'd 05/25/17 09:31amSLF

ORS

Judy

HOUSE ACTION

I HEREBY CERTIFY THAT THE RESOLUTION AS REQUIRED IN SECTION C OF ACT NO. 81-889 WAS ADOPTED AND IS ATTACHED TO THE BILL, H.B. 282

YEAS 93 NAYS 1

JEFF WOODARD, Clerk

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, H.B. _____ AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JEFF WOODARD, Clerk

CONFERENCE COMMITTEE

House Conferees _____

_____

_____

SENATE ACTION

DATE: 3-9 20 17

RD 1 RFD Judy

This Bill was referred to the Standing Committee of the Senate on

JUDY

and was acted upon by such Committee in session and is by order of the Committee returned therefrom with a favorable report w/amend(s) ____ w/sub ____ by a vote of yeas 8 nays 0 abstain 0 this 15 day of March 2017

_____, Chairperson

DATE: 3-15 2017

RF FAV RD 2 CAL

DATE: 20__

RE-REFERRED ☐ RE-COMMITTED ☐

Committee _____

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, HB 282

YEAS 32 NAYS 0

PATRICK HARRIS, Secretary

Case 2:16-cv-00783-ECM-SMD Document 63-1 Filed 07/21/17 Page 82 of 87

EXHIBIT 4

STATE OF ALABAMA



U.S. ELECTION ASSISTANCE COMMISSION
2014 DEC 22 PM 12:24

OFFICE OF THE SECRETARY OF STATE

JIM BENNETT
SECRETARY OF STATE

P.O. BOX 5616
MONTGOMERY, AL 36103-5616

December 18, 2014

The Honorable Thomas Hicks
The Honorable Matthew Masterson
The Honorable Christy McCormick
U.S. Election Assistance Commission
1335 East West Highway
Suite 4300
Silver Spring, MD 20910

Re: NVRA Form State Instructions

Dear Commissioners:

As the chief election official for the State of Alabama, I am writing to formally request that the Election Assistance Commission revise the state-specific instructions for Alabama on the National Voter Registration Application form. The requested changes are as follows:

1. In the paragraph titled "**Registration Deadline**," replace "ten" with "14." Alabama state law has been amended to change the voter registration deadline from the tenth day before an election to the 14th day before an election. See Code of Alabama 1975, section 17-3-50 (2014). In accordance with the new deadline, applications must be postmarked or delivered by the 15th day prior to the election.

2. In paragraph 6 titled **ID Number** please change the language to read as follows:

   If you have one, you must provide your Alabama driver's license number or Alabama nondriver identification card number. If you do not have an Alabama driver's license or nondriver identification card, you must provide the last 4 digits of your Social Security number. If you have not been issued any of these numbers you must write the word "NONE" and a unique identifier will be provided for you.

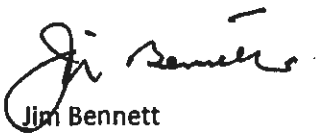
3. In paragraph 9 titled **Signature** please add the following language in accordance with Code of Alabama 1975, section 31-13-28:

   To register in Alabama you must:
   - be a citizen of the United States. The county board of registrars shall accept any completed application for registration, but an applicant shall not be registered until the applicant has provided satisfactory evidence of United States citizenship.

4. In paragraph 9 regarding felony convictions, please change the language to read as follows:
   - not have been convicted of a felony involving moral turpitude (or have had your civil and political rights restored.)

Since the information regarding documentation of U.S. citizenship and conviction of a felony involving moral turpitude is necessary to enable voter registrars to assess the eligibility of an applicant, I would appreciate your prompt attention to these requested changes. If you have any questions, please contact me.

Very truly yours,



Jim Bennett
Secretary of State

U.S. ELECTION ASSISTANCE COMMISSION
1335 East West Highway, Suite 4300
Silver Spring, MD 20910

January 29, 2016

Honorable John H. Merrill
Alabama Secretary of State
Alabama State Capitol
600 Dexter Avenue
Suite S-105
Montgomery, AL 36130

Dear Secretary Merrill:

This letter is in response to a request dated December 18, 2014, by former Secretary of State Jim Bennett. Secretary Bennett sent correspondence to EAC Commissioners Christy McCormick, Thomas Hicks, and Matthew Masterson requesting that the EAC revise the state-specific instructions for Alabama on the National Voter Registration Application form.

On February 19, 2015, you sent a follow-up letter to the Commissioners requesting that those same changes be made.

Upon review of your request, I write to inform you that the changes requested to the State of Alabama instructions on the national mail voter registration form (Federal form) have been made and posted to the EAC website.

The changes and additions *in italics* that were made to the Federal Form State Instructions for the State of Alabama are:

Registration Deadline- Voter registration is closed during the *14* days preceding an election. Applications must be postmarked or delivered by the *15th* day prior to the election.

6. ID Number. *Your social security number is requested (by authority of the Alabama Supreme Court, 17-4-122) (now omitted)* If you have one, you must provide your Alabama driver's license number or Alabama nondriver identification card number. If you do not have an Alabama driver's license or nondriver identification card, you must provide the last 4 digits of your Social Security number. If you have not been issued any of these numbers you must write the word "NONE" and a unique identified will be provided for you.

9. Signature. To register in Alabama you must:

- be a citizen of the United States. The county board of registrars shall accept any completed application for registration, but an applicant shall not be registered until the applicant has provided satisfactory evidence of United States citizenship.
- be a resident of Alabama and your county at the time of registration
- be 18 years old before any election
- not have been convicted of a felony *punishable by imprisonment in the penitentiary (or have had your civil and political rights restored (now omitted)* involving moral turpitude (or have had your civil and political rights restored.)

If the changes do not accurately reflect your request, please notify me immediately. Further, we have begun a systematic process with all states to update State-Specific Instruction Changes regularly. Please look for a separate mailing from us in the coming days and notify us if any additional State-Specific Instructions are in need of modernization or further calibration with your procedures.

If you have any questions on this matter, please do not hesitate to contact me at 301-563-3959 or at bnewby@eac.gov.

Sincerely,

Brian D. Newby
Executive Director

EXHIBIT B

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.	)	

DECLARATION OF CLAY HELMS

1. My name is Clay Helms. I am the Assistant Director of the Elections Division of the Secretary of State's Office and the Supervisor of Voter Registration. In that role, I am the Secretary's chief liaison with the Boards of Registrars, and I regularly work with and train registrars.

2. There are many different voter registration documents in Alabama. The following table is a list of forms utilized under provisions of the National Voter Registration Act. The shaded forms are state-maintained hardcopy documents that include a statement pertaining to disqualifying criminal convictions. The others do not contain such a statement.

NVRA-1B	Agency-Based Voter Registration Application (1-part form)
NVRA-2	Mail-In Voter Registration Application
NVRA-7P	Voter Information Card-Perforated
NVRA-7N	Voter Information Card-Non-Perforated
NVRA-8	Notice of Change Card
NVRA-14	Monthly NVRA Activity
NVRA-20	Voter Update/Reidentification Form
NVRA-23	Voter Update Mailer

NVRA-1AB	Agency-Based Voter Registration Application (2-part form) 2-Page form used by Department of Rehabilitation Services, WIC Program, Medicaid, Department of Human Resources
NVRA-4	Transmittal Form
NVRA-5	Transmittal Envelope
NVRA-11	NVRA Agency Supply Order Form
NVRA-2-E	Voter Registration Form - ERIC
NVRA-2-M	Medicaid Variant of Mail in Form
NVRA-2-H	DHR Variant of Mail in Form
NVRA-1AB-M	Medicaid Variant of Agency Based Form
NVRA-24	Report of Voter Change of Residence or Death
NVRA-1AB-H	DHR Variant of Agency Based Registration Form

3. Although all of these forms are used, two forms are used most frequently: the NVRA-2 mail-in form and NVRA-1AB Agency-based forms. Most NVRA-2 forms are distributed to county voter registration locations (*e.g.*, registrar's offices). The Secretary of State prints copies of the NVRA-2 form and maintains them in a warehouse until additional forms are requested by counties. To the best of my knowledge, the Secretary has printed approximately 1,775,000 hardcopy forms between 2015 and 2017, most of which have been distributed. Agency-based forms are printed by the Secretary of State and distributed to state agencies, such as DHR and Medicaid. True and accurate copies of the NVRA-2 form and the NVRA-2-M form are attached as **Exhibit 1** and **Exhibit 2** to this declaration respectively.

4. The Secretary of State also maintains an electronic voter registration form at https://www.alabamainteractive.org/sos/voter_registration/voterRegistrationWelcome.action. It mirrors the hardcopy form, except that it is electronic.

5. The federal Election Assistance Commission maintains a uniform federal voter registration form with accompanying state-specific instructions. A true and accurate copy of that form as of July 20, 2017 is attached as **Exhibit 3** to this declaration. When I saw this form in June of 2017, I noticed that the Election Assistance Commission had the wrong date for when registration closes

in Alabama. The form reflects that the EAC has not updated Alabama's state-specific instructions since 2006. I immediately telephoned a staff member of the EAC so that it would change the form to accurately state the voting registration deadline under Alabama law. After contacting multiple divisions of the EAC by email and phone, I also contacted the director and discussed my request with him. As of the signing of this declaration, the EAC has failed to make the change I requested.

6. I advise registrars on a daily basis, and I also train registrars on the process for removing felons from the voter rolls. The process is as follows. My office receives notice of a conviction from the Administrative Office of the Courts or a U.S. Attorney's Office, and I forward that notice to the appropriate Board of Registrars. For convictions received from the Administrative Office of the Courts, the forwarding process is automated. If the Board determines that the voter should be removed from the rolls, the Board sends the voter a notice of its intent to remove the voter by certified mail. The Board does remove the voter until the voter has been given at least 30 days to contest or otherwise respond to the notice.

7. I am familiar with HB 282. It is my understanding that registrars are using this new law to determine whether new registrants who have committed felonies are qualified to vote. I am not aware of any registrar who has received an application to register from a felon and has not applied the new law.

8. On June 2, 2017, Secretary of State John Merrill personally gave a presentation on HB 282 to the state association of registrars at a conference and advised them to use its list as the exclusive means of evaluating registrants.

9. In 2015, the Secretary of State created and distributed a "Board of Registrars' Handbook", which includes form letters and other instructions about felon disenfranchisement. A true and accurate copy of the original version of that Handbook is attached as **Exhibit 4** to this declaration.

I modified the registrars' handbook to incorporate the new legislation. On June 27, 2017, I distributed the modified handbook to registrars. Attached as **Exhibit 5** to this declaration is a true and accurate copy of the new registrars' handbook.

10. Registrars are not supposed to remove voters from the voter list within the 45 days leading up to an election. This is because a voter needs 30 days to respond to the removal notice and registration closes 15 days prior to an election. On July 5, 2017, I instructed registrars by email to cease notifying felons via certified mail of their intent to remove them from the voter list until after the August 15, 2017 election. If there is a special primary run-off election held on September 26 as anticipated, then I will instruct registrars immediately after the August 15 election that they will have to wait even longer to remove voters with disqualifying felony convictions.

11. I am working with the Administrative Office of the Courts (AOC) to develop codes for the crimes listed in the new statute, so that AOC will distribute only disqualifying felony offenses to registrars for the purposes of maintaining accurate voter rolls. I expect that process to be complete by August 1, 2017. It is my expectation that AOC's process will be complete by the time registrars may begin removing felons from the voting list again.

12. The Secretary of State's Office has executed a contract with Auburn University to provide a structured training program for registrars about a variety of subjects. Training sessions are scheduled to take place at various locations in Alabama for the registrars in that region. For example, on July 18 and July 19, registrars from West Alabama attended a two-day training in Tuscaloosa on Courses 1001, 1002, 1003 of the structured training program. Registrars will be trained on these courses through this fall, then the training will move into advanced courses. The next course in the series, Course 2001, is titled "Special Circumstances: Moral Turpitude & Competencies." A true and accurate copy of the training contract and course descriptions are

attached as **Exhibit 6.**

13. The electronic registration form on the Secretary of State's website has been altered to incorporate HB 282. The phrase "you must not be barred from voting by reason of a disqualifying felony conviction" in the list of eligibility criteria is a hyperlink to the list of felonies provided in HB 282. A true and accurate copy of the two top pages of this form, which request eligibility information, and the webpage to which the hyperlink directs a prospective registrant is attached as **Exhibit 7** to this declaration.

14. I understand that the plaintiffs in this lawsuit believe that the state and federal registration forms should be changed to list the approximately 60 specific felonies in HB 282. I agree with Ed Packard that such changes would be impractical and likely to cause confusion. Based on my recent experience trying to get the EAC to change one word in the instructions (the word "ten"), I also believe the EAC would be unlikely to approve a list of 60 specific felonies on the federal form.

15. I understand that the plaintiffs in this lawsuit believe that the Secretary should mail individualized notices to felons who have been disqualified. I agree with Ed Packard that such mailings would be impractical and likely to cause confusion.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on July 20, 2017.

Clay Helms

EXHIBIT 1

State of Alabama Mail-In Voter Registration Form

NVRA-2
2017.06.13

FOR USE BY U.S. CITIZENS ONLY ◆ FILL IN ALL BOXES ON THIS FORM ◆ PLEASE USE INK ◆ PRINT LEGIBLY

You can use this form to:

- ▶ Register to vote in Alabama.
- ▶ Update your voter registration record, if you have changed your name or address.

Deadline for submitting application:

Voter registration and updating of voter records is closed during the 14 days prior to each election in Alabama.

To register to vote in the State of Alabama, you must:

- ▶ Be a citizen of the United States.
- ▶ Reside in Alabama.
- ▶ Be at least 18 years of age on or before election day.
- ▶ Not have been convicted of a disqualifying felony, or if you have been convicted, you must have had your civil rights restored.
- ▶ Not have been declared "mentally incompetent" by a court.

ID requested: You may send with this application a copy of valid photo identification. You will be required to present valid photo identification when you vote at your polling place or by absentee ballot, unless exempted by law. For more information, go to www.AlabamaVoterID.com or call the Elections Division: 800-274-8683.

① Are you a citizen of the United States of America? ☐ Yes ☐ No

② Will you be 18 years of age on or before election day? ☐ Yes ☐ No

ATTENTION! If you answer "No" to either of these questions, do not complete this application.

③ Print Your Name:
First | Middle | Last | Suffix

④ Print Maiden Name / Former Name (if reporting a change of name)
First | Middle | Last | Suffix

⑤ Date of Birth (mm/dd/yyyy) | ⑥ Primary Telephone ( ) | ⑦ Email Address

Alabama Driver's License or Non-Driver ID Number: STATE | NUMBER

IF YOU HAVE NO ALABAMA DRIVER'S LICENSE OR ALABAMA NON-DRIVER ID NUMBER

Last four digits of Social Security number:

☐ I do not have an Alabama driver's license or Alabama non-driver ID or a Social Security number.

⑧ Addresses

Current	Address where you live: (Do not use post office box)	Home Address (include apartment or other unit number if applicable)	City	State	ZIP
Current	Address where you receive your mail:	Mailing Address, if different from Home Address	City	State	ZIP
Old	Address where you were last registered to vote: (Do not use post office box)	Former Address	City / County	State	ZIP

⑨ Sex (check one)
☐ Female ☐ Male

⑩ Race (check one)
☐ White ☐ Black ☐ Asian ☐ American Indian ☐ Hispanic ☐ Other

⑪ Place of Birth: City | County | State | Country

⑫ Map / Diagram
If your home has no street number or name, please draw a map of where your house is located. Please include roads and landmarks.

⑬ Did you receive assistance?
If you are unable to sign your name, who helped you fill out this application? Give name, address, and phone number (phone number is optional).

REGISTRARS USE ONLY

DATE ☐ APPROVED ☐ DENIED

(mm/dd/yyyy)

County Pct _____

City Pct _____

Board member

Board member

Board member

Voter Declaration - Read and Sign Under Penalty of Perjury

- ▶ I am a U.S. citizen
- ▶ I live in the State of Alabama
- ▶ I will be at least 18 years of age on or before election day
- ▶ I am not barred from voting by reason of a disqualifying felony conviction
- ▶ I have not been judged "mentally incompetent" in a court of law

I solemnly swear or affirm to support and defend the constitution of the United States and the State of Alabama and further disavow any belief or affiliation with any group which advocates the overthrow of the governments of the United States or the State of Alabama by unlawful means and that the information contained herein is true, so help me God.

YOUR SIGNATURE _____ DATE (mm/dd/yyyy) _____

If you falsely sign this statement, you can be convicted and imprisoned for up to five years.

The decision to register to vote is yours. If you decide to register to vote, the office at which you are submitting this application will remain confidential and will be used only for voter registration purposes. If you decline to register to vote, your decision will remain confidential and will be used only for voter registration purposes.

John H. Merrill - Secretary of State Questions? Call the Elections Division at 1-800-274-8683 or 334-242-7210

To mail, put the address of your county Board of Registrars on the lines below.

AUTAUGA COUNTY
PO Box 680036
Prattville 36068-0036
(334) 358-6740

BALDWIN COUNTY
PO Box 1507
Bay Minette 36507-1507
(251) 937-0305

BARBOUR COUNTY
303 E Broad St Rm 108
Eufaula 36027
(334) 687-1585

BIBB COUNTY
8 Court Square W
Centreville 35042
(205) 926-3102

BLOUNT COUNTY
220 Second Ave E Rm B-5
Oneonta 35121
(205) 625-4182

BULLOCK COUNTY
217 Prairie St N Rm 101
Union Springs 36089-1659
(334) 738-5372

BUTLER COUNTY
700 Court Sq Rm 8
Greenville 36037-2308
(334) 382-5685
(334) 382-6829

CALHOUN COUNTY
1702 Noble St Ste 113
Anniston 36201-3889
(256) 241-2930

CHAMBERS COUNTY
18 Alabama Ave E Rm 101
Lafayette 36862
(334) 864-4313

CHEROKEE COUNTY
260 Cedar Bluff Rd Ste 106
Centre 35960-1403
(256) 927-5336

CHILTON COUNTY
PO Box 640
Clanton 35046-0640
(205) 755-3820

CHOCTAW COUNTY
117 S Mulberry Ave Ste 1
Butler 36904-0132
(205) 459-2531

CLARKE COUNTY
PO Box 10
Grove Hill 36451-0010
(251) 275-3062

CLAY COUNTY
PO Box 446
Ashland 36251-0446
(256) 354-7815

CLEBURNE COUNTY
120 Vickery St Rm 103
Heflin 36264-1166
(256) 463-5299

COFFEE COUNTY
6 County Complex
New Brockton 36351-9791
(334) 894-5347

COLBERT COUNTY
201 N Main St
Tuscumbia 35674-2095
(256) 386-8535

CONECUH COUNTY
111 Court St Rm 102
Evergreen 36401
(251) 578-7024

COOSA COUNTY
PO Box 218
Rockford 35136-0218
(256) 377-2418

COVINGTON COUNTY
228 Hillcrest Dr
Andalusia 36420-2570
(334) 428-2685

CRENSHAW COUNTY
PO Box 328
Luverne 36049-0328
(334) 335-6568 x251
(334) 335-6568 x253

CULLMAN COUNTY
500 2nd Ave SW Rm 112
Cullman 35055-4135
(256) 775-4750

DALE COUNTY
PO Box 1101
Ozark 36361-1101
(334) 774-9038

DALLAS COUNTY
PO Box 987
Selma 36702-0987
(334) 874-2534

DEKALB COUNTY
111 Grand Ave SW Ste 105
Fort Payne 35967
(256) 845-8598

ELMORE COUNTY
100 E Commerce St Rm 205
Wetumpka 36092-2746
(334) 567-1150

ESCAMBIA COUNTY
PO Box 557
Brewton 36427-0557
(251) 867-0243
(251) 867-0312

ETOWAH COUNTY
800 Forrest Ave Ste 206
Gadsden 35901-3651
(256) 549-5384

FAYETTE COUNTY
103 First Ave NW Ste 4
Fayette 35555-2627
(205) 932-5432

FRANKLIN COUNTY
PO Box 70
Russellville 35653-0070
(256) 332-8849

GENEVA COUNTY
PO Box 430
Geneva 36340-0430
(334) 684-5655

GREENE COUNTY
PO Box 224
Eutaw 35462-0224
(205) 372-9669

HALE COUNTY
905-D Centerville St
Greensboro 36744-1536
(334) 624-4672

HENRY COUNTY
101 Court Square Ste K
Abbeville 36310-2135
(334) 585-6080

HOUSTON COUNTY
PO Box 6406
Dothan 36302-6406
(334) 677-4776

JACKSON COUNTY
102 E Laurel St, Box 6
Scottsboro 35768
(256) 574-9339
(256) 574-9335

JEFFERSON COUNTY
716 R Arrington Jr Blvd N
Ste A-410
Birmingham 35203-0115
(205) 325-5550

LAMAR COUNTY
PO Box 338
Vernon 35592-0338
(205) 695-6348
(205) 695-9197

LAUDERDALE COUNTY
PO Box 1059
Florence 35630-1059
(256) 760-5840
(256) 760-5841

LAWRENCE COUNTY
14451 Market Street Ste 340
Moulton 35650
(256) 974-2557
(256) 974-2461

LEE COUNTY
PO Box 1530
Opelika 36803-1530
(334) 737-3635

LIMESTONE COUNTY
100 Clinton St S Ste E
Athens 35611-2665
(256) 233-6405

LOWNDES COUNTY
PO Box 311
Hayneville 36040-0311
(334) 548-2389
(334) 548-2080

MACON COUNTY
101 E Rosa Parks Ave Ste 100
Tuskegee 36083-1735
(334) 724-2617

MADISON COUNTY
819 Cook Avenue NW
Ste 150
Huntsville 35801-5983
(256) 532-3510

MARENGO COUNTY
PO Box 480715
Linden 36748-0715
(334) 295-2249
(334) 295-2086

MARION COUNTY
PO Box 964
Hamilton 35570-0964
(205) 921-3625

MARSHALL COUNTY
424 Blount Ave Ste 106A
Guntersville 35976-1122
(256) 571-7740

MOBILE COUNTY
151 Government St Ste 165
Mobile 36602
(251) 574-8586
(251) 574-8587

MONROE COUNTY
PO Box 972
Monroeville 36461-0972
(251) 743-4107 x141

MONTGOMERY COUNTY
PO Box 1667
Montgomery 36102-1667
(334) 832-1215

MORGAN COUNTY
PO Box 668
Decatur 35602-0668
(256) 351-4660
(256) 351-4663

PERRY COUNTY
PO Box 555
Marion 36756-0555
(334) 683-2218 x5

PICKENS COUNTY
PO Box 173
Carrollton 35447-0173
(205) 367-2074

PIKE COUNTY
120 W Church St Rm B2
Troy 36081
(334) 566-1757
(334) 566-6449

RANDOLPH COUNTY
PO Box 215
Wedowee 36278-0215
(256) 357-2138

RUSSELL COUNTY
PO Box 700
Phenix City 36868-0700
(334) 298-1443
(334) 448-1508

SHELBY COUNTY
PO Box 1642
Columbiana 35051-1642
(205) 669-3913

ST. CLAIR COUNTY
1815 Cogswell Ave Ste B-25
Pell City 35125
(205) 338-3954

SUMTER COUNTY
PO Box 783
Livingston 35470-0783
(205) 652-7902

TALLADEGA COUNTY
PO Box 6170
Talladega 35161-6170
(256) 761-2131
(256) 761-2132

TALLAPOOSA COUNTY
125 N Broadnax St Rm 20
Dadeville 36853-1371
(256) 825-1081

TUSCALOOSA COUNTY
2501 7th St Ste 200
Tuscaloosa 35401-1801
(205) 349-3870 x415

WALKER COUNTY
PO Box 1472
Jasper 35502-1472
(205) 384-7279

WASHINGTON COUNTY
PO Box 1224
Chatom 36518-1224
(251) 847-3255

WILCOX COUNTY
PO Box 661
Camden 36726-0661
(334) 682-9753

WINSTON COUNTY
PO Box 459
Double Springs 35553-0459
(205) 489-3966

SECRETARY OF STATE
ELECTIONS DIVISION
PO Box 5616
Montgomery 36103
(334) 242-7210
(800) 274-8683

YOUR ADDRESS:

PUT FIRST CLASS STAMP HERE

MAIL TO:

BOARD OF REGISTRARS

EXHIBIT 2

STATE OF ALABAMA
AGENCY-BASED VOTER REGISTRATION APPLICATION

NVRA-1A-M

IF YOU ARE NOT REGISTERED TO VOTE WHERE YOU LIVE NOW, WOULD YOU LIKE TO APPLY TO REGISTER TO VOTE HERE TODAY?

☐ I want to apply to register to vote today.

☐ I want to change my address for voting purposes by use of this form.

☐ I do not want to apply to register to vote today.

IF YOU DO NOT CHECK ANY BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME.

Applying to register or declining to register to vote will not affect the amount of assistance that you will be provided by this agency.

If you would like help in filling out the voter registration application form, we will help you. The decision whether to seek or accept help is yours. You may fill out the application in private.

Name_____ Date_____ Signaure _____

Please detach lower portion and give to applicant

IF YOU DECIDE TO APPLY TO REGISTER TO VOTE, THE OFFICE WHERE YOU ARE SUBMITTING YOUR APPLICATION WILL REMAIN CONFIDENTIAL AND WILL BE USED FOR VOTER REGISTRATION PURPOSES ONLY.

IF YOU DECLINE TO REGISTER TO VOTE, YOUR DECISION WILL REMAIN CONFIDENTIAL AND WILL BE USED FOR VOTER REGISTRATION PURPOSES ONLY.

IF YOU BELIEVE THAT SOMEONE HAS INTERFERED WITH YOUR RIGHT TO REGISTER OR TO DECLINE TO REGISTER TO VOTE OR YOUR RIGHT TO PRIVACY IN DECIDING WHETHER TO REGISTER OR IN APPLYING TO REGISTER TO VOTE, YOU MAY FILE A COMPLAINT WITH THE SECRETARY OF STATE AT STATE CAPITOL, 600 DEXTER AVENUE, SUITE E-208, MONTGOMERY, ALABAMA, 36130 OR BY CALLING 334-242-7210 OR 1-800-274-VOTE (1-800-274-8683).

State of Alabama Agency-Based Voter Registration Form

NVRA-1B-M
2015.02.09

FOR USE BY U.S. CITIZENS ONLY ◆ FILL IN ALL BOXES ON THIS FORM ◆ PLEASE USE INK ◆ PRINT LEGIBLY

To register to vote in the State of Alabama, you must:

- Be a citizen of the United States.
- Reside in Alabama.
- Be at least 18 years of age on or before election day.
- Not have been convicted of a disqualifying felony, or if you have been convicted, you must have had your civil rights restored.
- Not have been declared "mentally incompetent" by a court.

FOR USE BY AGENCY OFFICIAL ONLY

Check one (1) box:

☐ Registrars
☐ Motor Voter
☐ State Designated Agency
☐ Agency-Based
☐ Disabilities Services Office

Signature of Agency Representative

Business Phone of Agency Representative

ID requested: You may send with this application a copy of valid photo identification. You will be required to present valid photo identification when you vote at your polling place or by absentee ballot, unless exempted by law. For more information, go to www.AlabamaVoterID.com or call the Elections Division: 800-274-8683.

① **Are you a citizen of the United States of America?** ☐ Yes ☐ No

② **Will you be 18 years of age on or before election day?** ☐ Yes ☐ No

ATTENTION! If you answer "No" to either of these questions, do not complete this application.

③ **Print Your Name:**
First | Middle | Last | Suffix

④ **Print Maiden Name / Former Name (if reporting a change of name)**
First | Middle | Last | Suffix

⑤ **Date of Birth** (mm/dd/yyyy) | ⑥ **Primary Telephone** ( ) | ⑦ **Email Address**

Alabama Driver's License or Non-Driver ID Number: STATE | NUMBER

IF YOU HAVE NO ALABAMA DRIVER'S LICENSE OR ALABAMA NON-DRIVER ID NUMBER

Last four digits of Social Security number: ☐☐☐☐

☐ **I do not have an Alabama driver's license or Alabama non-driver ID or a social security number.**

⑧ **Addresses**

Current

Address where you live: (Do not use post office box)
Home Address (include apartment or other unit number if applicable) | City | State | ZIP

Address where you receive your mail:
Mailing Address, if different from Home Address | City | State | ZIP

Old

Address where you were last registered to vote: (Do not use post office box)
Former Address | City | County | State | ZIP

⑨ **Sex** (check one)
☐ Female ☐ Male

⑩ **Race** (check one)
☐ White ☐ Black
☐ Asian ☐ American Indian
☐ Hispanic ☐ Other

⑪ **Place of Birth** City | County | State | Country

⑫ **Map / Diagram**
If your home has no street number or name, please draw a map of where your house is located. Please include roads and landmarks.

⑬ **Did you receive assistance?**
If you are unable to sign your name, who helped you fill out this application? Give name, address, and phone number (phone number is optional).

REGISTRARS USE ONLY

DATE ☐ APPROVED ☐ DENIED

(mm/dd/yyyy)

County Pct _____

City Pct _____

Board member

Board member

Board member

Voter Declaration - Read and Sign Under Penalty of Perjury

- **I am a U.S. citizen**
- **I live in the State of Alabama**
- **I will be at least 18 years of age on or before election day**
- **I am not barred from voting by reason of a disqualifying felony conviction**
- **I have not been judged "mentally incompetent" in a court of law**

I solemnly swear or affirm to support and defend the constitution of the United States and the State of Alabama and further disavow any belief or affiliation with any group which advocates the overthrow of the governments of the United States or the State of Alabama by unlawful means and that the information contained herein is true, so help me God.

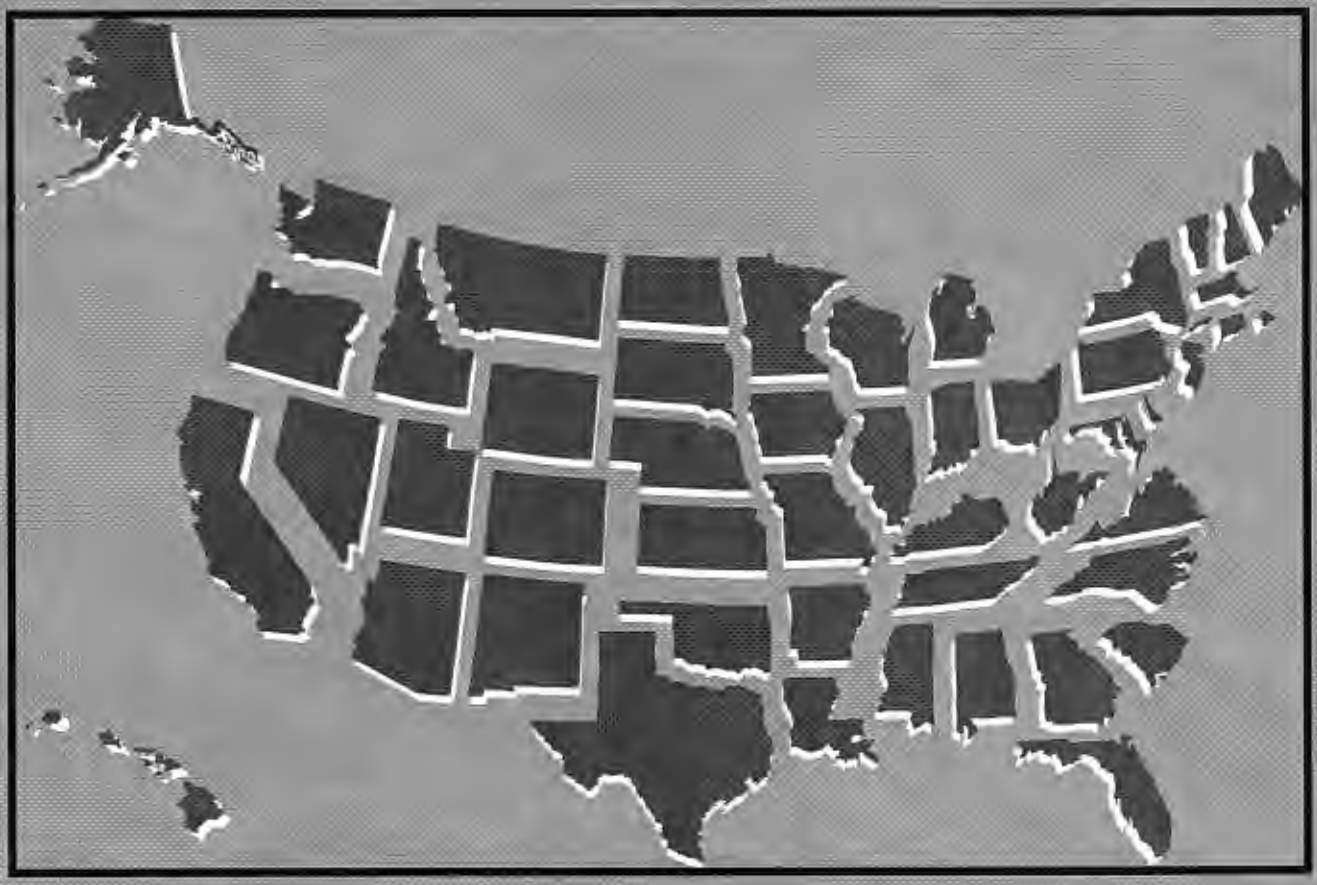
YOUR SIGNATURE | **DATE** (mm/dd/yyyy)

If you falsely sign this statement, you can be convicted and imprisoned for up to five years.

The decision to register to vote is yours. If you decide to register to vote, the office at which you are submitting this application will remain confidential and will be used only for voter registration purposes. If you decline to register to vote, your decision will remain confidential and will be used only for voter registration purposes.

EXHIBIT 3

Register To Vote In Your State By Using This Postcard Form and Guide



For U.S. Citizens

General Instructions

Who Can Use this Application
If you are a U.S. citizen who lives or has an address within the United States, you can use the application in this booklet to:

- Register to vote in your State,
- Report a change of name to your voter registration office,
- Report a change of address to your voter registration office, or
- Register with a political party.

Exceptions
Please do not use this application if you live outside the United States and its territories and have no home (legal) address in this country, *or* if you are in the military stationed away from home. Use the Federal Postcard Application available to you from military bases, American embassies, or consular offices.

New Hampshire town and city clerks will accept this application only as a request for their own absentee voter mail-in registration form.
North Dakota does not have voter registration.
Wyoming law does not permit mail registration.

How to Find Out If You Are Eligible to Register to Vote in Your State
Each State has its own laws about who may register and vote. Check the information under your State in the State Instructions. All States require that you be a United States citizen by birth or naturalization to register to vote in federal and State elections. Federal law makes it illegal to falsely claim U.S. citizenship to register to vote in any federal, State, or local election. You **cannot** be registered to vote in more than one place at a time.

How to Fill Out this Application
Use both the Application Instructions and State Instructions to guide you in filling out the application.

- First, read the Application Instructions. These instructions will give you important information that applies to everyone using this application.
- Next, find your State under the State Instructions. Use these instructions to fill out Boxes 6, 7, and refer to these instructions for information about voter eligibility and any oath required for Box 9.

When to Register to Vote
Each State has its own deadline for registering to vote. Check the deadline for your State on the last page of this booklet.

How to Submit Your Application
Mail your application to the address listed under your State in the State Instructions. Or, deliver the application in person to your local voter registration office. The States that are required to accept the national form will accept copies of the application printed from the computer image on regular paper stock, signed by the applicant, and mailed in an envelope with the correct postage.

First Time Voters Who Register by Mail
If you are registering to vote for the first time in your jurisdiction and are mailing this registration application, Federal law requires you to show proof of identification the first time you vote. Proof of identification includes:

- A current and valid photo identification or
- A current utility bill, bank statement, government check, paycheck or government document that shows your name and address.

Voters may be exempt from this requirement if they submit a **COPY** of this identification with their mail in voter registration form. If you wish to submit a **COPY,** please keep the following in mind:

- Your state may have additional identification requirements which may mandate you show identification at the polling place even if you meet the Federal proof of identification.
- Do not submit original documents with this application, only **COPIES.**

If You Were Given this Application in a State Agency or Public Office
If you have been given this application in a State agency or public office, it is your choice to use the application. If you decide to use this application to register to vote, you can fill it out and leave it with the State agency or public office. The application will be submitted for you. Or, you can take it with you to mail to the address listed under your State in the State Instructions. You also may take it with you to deliver in person to your local voter registration office.
Note: The name and location of the State agency or public office where you received the application will remain confidential. It will not appear on your application. Also, if you decide not to use this application to register to vote, that decision will remain confidential. It will not affect the service you receive from the agency or office.

Application Instructions

Before filling out the body of the form, please answer the questions on the top of the form as to whether you are a United States citizen and whether you will be 18 years old on or before Election Day. If you answer no to either of these questions, you may not use this form to register to vote. However, state specific instructions may provide additional information on eligibility to register to vote prior to age 18.

Box 1 — Name
Put in this box your full name in this order — Last, First, Middle. Do not use nicknames or initials.
Note: If this application is for a change of name, please tell us in **Box A** *(on the bottom half of the form)* your full name before you changed it.

Box 2 — Home Address
Put in this box your home address (legal address). Do **not** put your mailing address here if it is different from your home address. Do **not** use a post office box or rural route without a box number. Refer to state-specific instructions for rules regarding use of route numbers.

Note: If you were registered before but this is the first time you are registering from the address in Box 2, please tell us in **Box B** *(on the bottom half of the form)* the address where you were registered before. Please give us as much of the address as you can remember.

Also Note: If you live in a rural area but do not have a street address, or if you have no address, please show where you live using the map in Box C *(at the bottom of the form).*

Box 3 — Mailing Address
If you get your mail at an address that is different from the address in Box 2, put your mailing address in this box. If you have no address in Box 2, you **must** write in Box 3 an address where you can be reached by mail.

Box 4 — Date of Birth
Put in this box your date of birth in this order — Month, Day, Year. *Be careful not to use today's date!*

Box 5 — Telephone Number
Most States ask for your telephone number in case there are questions about your application. However, you do not have to fill in this box.

Box 6 — ID Number
Federal law requires that states collect from each registrant an identification number. You must refer to your state's specific instructions for item 6 regarding information on what number is acceptable for your state. If you have neither a drivers license nor a social security number, please indicate this on the form and a number will be assigned to you by your state.

Box 7 — Choice of Party
In some States, you must register with a party if you want to take part in that party's primary election, caucus, or convention. To find out if your State requires this, see item 7 in the instructions under your State.

If you want to register with a party, print in the box the full name of the party of your choice.

If you do not want to register with a party, write "no party" or leave the box blank. Do not write in the word "independent" if you mean "no party," because this might be confused with the name of a political party in your State.
Note: If you do not register with a party, you can still vote in general elections and nonpartisan (nonparty) primary elections.

Box 8 — Race or Ethnic Group
A few States ask for your race or ethnic group, in order to administer the Federal Voting Rights Act. To find out if your State asks for this information, see item 8 in the instructions under your State. If so, put in Box 8 the choice that best describes you from the list below:

- American Indian *or* Alaskan Native
- Asian or Pacific Islander
- Black, *not* of Hispanic Origin
- Hispanic
- Multi-racial
- White, *not* of Hispanic Origin
- Other

Box 9 — Signature
Review the information in item 9 in the instructions under your State. Before you sign or make your mark, make sure that:

(1) You meet your State's requirements, and
(2) You understand **all** of Box 9.

Finally, sign your **full** name or make your mark, and print today's date in this order — Month, Day, Year. If the applicant is unable to sign, put in **Box D** the name, address, and telephone number (optional) of the person who helped the applicant.

Voter Registration Application

Before completing this form, review the General, Application, and State specific instructions.

Are you a citizen of the United States of America? ☐ Yes ☐ No
Will you be 18 years old on or before election day? ☐ Yes ☐ No
If you checked "No" in response to either of these questions, do not complete form.
(Please see state-specific instructions for rules regarding eligibility to register prior to age 18.)

This space for office use only.

1	☐ Mr. ☐ Miss ☐ Mrs. ☐ Ms.	Last Name	First Name	Middle Name(s)	☐ Jr ☐ II ☐ III ☐ Sr ☐ IV
2	Home Address	Apt. or Lot #	City/Town	State	Zip Code
3	Address Where You Get Your Mail If Different From Above		City/Town	State	Zip Code

4	Date of Birth Month Day Year	5	Telephone Number (optional)	6	ID Number - (See item 6 in the instructions for your state)
7	Choice of Party (see item 7 in the instructions for your State)	8	Race or Ethnic Group (see item 8 in the instructions for your State)		

9 I have reviewed my state's instructions and I swear/affirm that:
- I am a United States citizen
- I meet the eligibility requirements of my state and subscribe to any oath required.
- The information I have provided is true to the best of my knowledge under penalty of perjury. If I have provided false information, I may be fined, imprisoned, or (if not a U.S. citizen) deported from or refused entry to the United States.

Please sign full name (or put mark) ▲

Date: ___ / ___ / ___
Month Day Year

If you are registering to vote for the first time: please refer to the application instructions for information on submitting copies of valid identification documents with this form.

Please fill out the sections below if they apply to you.

If this application is for a **change of name**, what was your name before you changed it?

A	☐ Mr. ☐ Miss ☐ Mrs. ☐ Ms.	Last Name	First Name	Middle Name(s)	☐ Jr ☐ II ☐ III ☐ Sr ☐ IV

If you were **registered before but this is the first time you are registering from the address in Box 2**, what was your address where you were registered before?

B	Street (or route and box number)	Apt. or Lot #	City/Town/County	State	Zip Code

If you live in a rural area but do not have a street number, or if you have no address, please show on the map where you live.

C
- Write in the names of the crossroads (or streets) nearest to where you live.
- Draw an X to show where you live.
- Use a dot to show any schools, churches, stores, or other landmarks near where you live, and write the name of the landmark.

Example

Public School ●

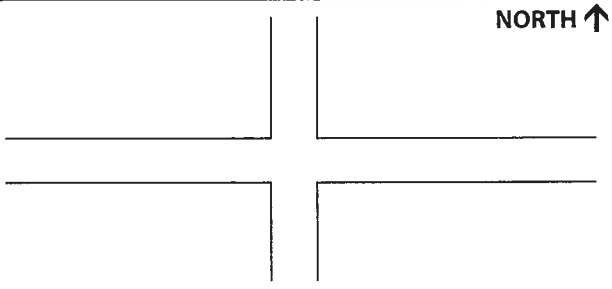
Route #2

● Grocery Store

Woodchuck Road

X

NORTH ↑



If the applicant is unable to sign, who helped the applicant fill out this application? Give name, address and phone number (phone number optional).

D

Mail this application to the address provided for your State.

FOR OFFICIAL USE ONLY

FIRST CLASS STAMP NECESSARY FOR MAILING

OFFICIAL ELECTION MAIL
Authorized by the U.S. Postal Service ®

Voter Registration Application

Before completing this form, review the General, Application, and State specific instructions.

Are you a citizen of the United States of America? ☐ Yes ☐ No
Will you be 18 years old on or before election day? ☐ Yes ☐ No
If you checked "No" in response to either of these questions, do not complete form.
(Please see state-specific instructions for rules regarding eligibility to register prior to age 18.)

This space for office use only.

1	☐ Mr. ☐ Miss ☐ Mrs. ☐ Ms.	Last Name	First Name	Middle Name(s)	☐ Jr ☐ II ☐ Sr ☐ III ☐ IV
2	Home Address	Apt. or Lot #	City/Town	State	Zip Code
3	Address Where You Get Your Mail If Different From Above		City/Town	State	Zip Code

4	Date of Birth Month Day Year	5	Telephone Number (optional)	6	ID Number - (See item 6 in the instructions for your state)
7	Choice of Party (see item 7 in the instructions for your State)	8	Race or Ethnic Group (see item 8 in the instructions for your State)		

9 I have reviewed my state's instructions and I swear/affirm that:
- I am a United States citizen
- I meet the eligibility requirements of my state and subscribe to any oath required.
- The information I have provided is true to the best of my knowledge under penalty of perjury. If I have provided false information, I may be fined, imprisoned, or (if not a U.S. citizen) deported from or refused entry to the United States.

Please sign full name (or put mark) ▲

Date: ___ / ___ / ___
Month Day Year

If you are registering to vote for the first time: please refer to the application instructions for information on submitting copies of valid identification documents with this form.

Please fill out the sections below if they apply to you.

If this application is for a **change of name**, what was your name before you changed it?

A	☐ Mr. ☐ Miss ☐ Mrs. ☐ Ms.	Last Name	First Name	Middle Name(s)	☐ Jr ☐ II ☐ Sr ☐ III ☐ IV

If you were **registered before but this is the first time you are registering from the address in Box 2**, what was your address where you were registered before?

B	Street (or route and box number)	Apt. or Lot #	City/Town/County	State	Zip Code

If you live in a rural area but do not have a street number, or if you have no address, please show on the map where you live.

C
- Write in the names of the crossroads (or streets) nearest to where you live.
- Draw an X to show where you live.
- Use a dot to show any schools, churches, stores, or other landmarks near where you live, and write the name of the landmark.

Example

Route #2

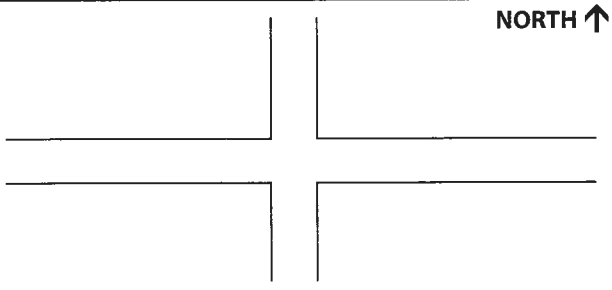
● Grocery Store

Woodchuck Road

Public School ●

X

NORTH ↑



If the applicant is unable to sign, who helped the applicant fill out this application? Give name, address and phone number (phone number optional).

D

Mail this application to the address provided for your State.

FOR OFFICIAL USE ONLY

FIRST CLASS STAMP NECESSARY FOR MAILING

OFFICIAL ELECTION MAIL
Authorized by the U.S. Postal Service ®

State Instructions

Alabama

Updated: 03-01-2006

Registration Deadline — Voter registration is closed during the ten days preceding an election. Applications must be postmarked or delivered by the eleventh day prior to the election.

6. ID Number. Your social security number is requested (by authority of the Alabama Supreme Court, 17-4-122).
7. Choice of Party. Optional: You do not have to register with a party if you want to take part in that party's primary election, caucus, or convention.
8. Race or Ethnic Group. You are required to fill in this box; however, your application will not be rejected if you fail to do so. See the list of choices under the Application Instructions for Box 8 (on page 2).
9. Signature. To register in Alabama you must:
- be a citizen of the United States
- be a resident of Alabama and your county at the time of registration
- be 18 years old before any election
- not have been convicted of a felony punishable by imprisonment in the penitentiary (or have had your civil and political rights restored)
- not currently be declared mentally incompetent through a competency hearing
- swear or affirm to "support and defend the Constitution of the U.S. and the State of Alabama and further disavow any belief or affiliation with any group which advocates the overthrow of the governments of the U.S. or the State of Alabama by unlawful means and that the information contained herein is true, so help me God"

Mailing address:
Office of the Secretary of State
P.O. Box 5616
Montgomery, AL 36103-5616

Alaska

Updated: 03-01-2006

Registration Deadline — 30 days before the election.

6. ID Number. You must provide one of the following identification numbers; Alaska Driver's License or Alaska State Identification Card Number. If you do not have an Alaska Driver's License or Alaska State Identification Card, you must provide the last four digits of your Social Security Number. If you do not have any of these identification numbers, please write "NONE" on the form. A unique identifying number will be assigned to you for voter registration purposes. This information is kept confidential. Having this information assists in maintaining your voter record and may assist in verifying your identity (Title 15 of the Alaska Statutes).
7. Choice of Party. You do not have to declare a party affiliation when registering to vote. If you do not choose a party, you will be registered as Undeclared. Alaska has a closed primary election system. Each recognized political party has a separate ballot listing only candidates from that political party. Voters registered as a member of a political party may only vote that party's ballot. Voters registered as undeclared or non-partisan may choose one ballot from the ballots available.
8. Race or Ethnic Group. Leave blank.
9. Signature. To register in Alaska you must:
- be a citizen of the United States
- be at least 18 years old within 90 days of completing this registration
- be a resident of Alaska
- not be a convicted felon (unless unconditionally discharged)
- not be registered to vote in another State

Mailing address:
Division of Elections
State of Alaska
PO Box 110017
Juneau, AK 99811-0017

Arizona

Updated: 03-01-2006

Registration Deadline — 29 days before the election.

6. ID Number. Your completed voter registration form must contain the number of your Arizona driver license, or non-operating identification license issued pursuant to A.R.S. § 28-3165, if the license is current and valid. If you *do not have* a current and valid Arizona driver license or non-operating identification license, you must include the last four digits of your social security number if one has been issued to you. If you do not have a current and valid driver license or non-operating identification license or a social security number, please write "NONE" on the form. A unique identifying number will be assigned by the Secretary of State.

State Instructions

7. Choice of Party. If you are registered in a political party which has qualified for ballot recognition, you will be permitted to vote the primary election ballot for that party. If you are registered as an independent, no party preference or as a member of a party which is not qualified for ballot recognition, you may select and vote one primary election ballot for one of the recognized political parties.
8. Race or Ethnic Group. Leave blank.
9. Signature. To register in Arizona you must:
- be a citizen of the United States
- be a resident of Arizona and your county at least 29 days preceding the next election
- be 18 years old on or before the next general election
- not have been convicted of treason or a felony (or have had your civil rights restored)
- not currently be declared an incapacitated person by a court of law

Mailing address:
Secretary of State/Elections
1700 W. Washington, 7th Floor
Phoenix, AZ 85007-2888

Arkansas

Updated: 03-01-2006

Registration Deadline — 30 days before the election.

6. ID Number. Your completed voter registration form must contain your state issued driver's license number or nonoperating identification number. If you do not have a driver's license or nonoperating identification, you must include the last four digits of your social security number. If you do not have a driver's license or a nonoperating identification or a social security number, please write "NONE" on the form. A unique identifying number will be assigned by the State.
7. Choice of Party. Optional. You do not have to register with a party if you want to take part in that party's primary election, caucus, or convention.
8. Race or Ethnic Group. Leave blank.
9. Signature. To register in Arkansas you must:
- be a citizen of the United States
- live in Arkansas at the address in Box 2 on the application
- be at least 18 years old before the next election
- not be a convicted felon (or have completely discharged your sentence or been pardoned)
- not claim the right to vote in any other jurisdiction
- not previously be adjudged mentally incompetent by a court of competent jurisdiction

Mailing address:
Secretary of State
Voter Services
P.O. Box 8111
Little Rock, AR 72203-8111

California

Updated: 03-01-2006

Registration Deadline — 15 days before the election.

6. ID Number. When you register to vote, you must provide your California driver's license or California identification card number, if you have one. If you do not have a driver's license or ID card, you must provide the last four digits of your Social Security Number (SSN). If you do not include this information, you will be required to provide identification when you vote.
7. Choice of Party. Please enter the name of the political party with which you wish to register. If you do not wish to register with any party, enter "Decline to State" in the space provided.
California law allows voters who "decline to state" an affiliation with a qualified political party or who affiliate with a nonqualified political party to vote in the primary election of any qualified political party that files a notice with the Secretary of State allowing them to do so. You can call 1-800-345-VOTE or visit www.sos.ca.gov to learn which political parties are allowing nonaffiliated voters to participate in their primary election.
8. Race or Ethnic Group. Leave blank.
9. Signature. To register in California you must:
- be a citizen of the United States
- be a resident of California
- be at least 18 years of age at the time of the next election
- not be imprisoned or on parole for the conviction of a felony
- not currently be judged mentally incompetent by a court of law

Signature is required. If you meet the requirements listed above, please sign and date the registration card in the space provided.

Mailing address:
Secretary of State
Elections Division
1500 11th Street
Sacramento, CA 95814

State Instructions

Colorado

Updated: 03-28-2008

Registration Deadline — 29 days before the election. If the application is received in the mails without a postmark, it must be received within 5 days of the close of registration.

6. ID Number. Your completed voter registration form must contain your state issued driver's license number or identification number. If you do not have a driver's license or state issued identification, you must include the last four digits of your social security number. If you do not have a driver's license or a state issued identification or a social security number, please write "NONE" on the form. A unique identifying number will be assigned by the State.
7. Choice of Party. You must register with a party if you want to take part in that party's primary election, caucus, or convention.
8. Race or Ethnic Group. Leave blank.
9. Signature. To register in Colorado you must:
• be a citizen of the United States
• be a resident of Colorado 30 days prior to the election
• be 18 years old on or before election day
• not be confined as a prisoner or serving any part of a sentence under mandate

Mailing address:
Colorado Secretary of State
1700 Broadway, Suite 270
Denver, Colorado 80290

Connecticut

Updated: 03-01-2006

Registration Deadline — 14 days before the election.

6. ID Number. Connecticut Driver's License Number, or if none, the last four digits of your Social Security Number.
7. Choice of Party. This is optional, but you must register with a party if you want to take part in that party's primary election, caucus, or convention.
8. Race or Ethnic Group. Leave blank.
9. Signature. To register in Connecticut you must:
• be a citizen of the United States
• be a resident of Connecticut and of the town in which you wish to vote
• be 17 years old. You can vote when you turn 18
• have completed confinement and parole if previously convicted of a felony, and have had your voting rights restored by Registrars of Voters.
• not currently be declared mentally incompetent to vote by a court of law

Mailing address:
Secretary of State
Elections Division
30 Trinity Street
Hartford, CT 06106

Delaware

Updated: 02-07-2012

Registration Deadline — The 4th Saturday before a primary or general election, and 10 days before a special election.

6. ID Number. Your completed voter registration form must contain your state issued driver's license number or nonoperating identification number. If you do not have a driver's license or nonoperating identification, you must include the last four digits of your social security number. If you do not have a driver's license or a nonoperating identification or a social security number, please write "NONE" on the form. A unique identifying number will be assigned by the State.
7. Choice of Party. You must register with a party if you want to take part in that party's primary election, caucus, or convention.
8. Race or Ethnic Group. Leave blank.
9. Signature. To register in Delaware you must:
• be a citizen of the United States
• be a permanent resident of Delaware
• be at least 18 years old on the date of the next general election
• felons are eligible to vote if certain requirements are met: fines and sentence completed at least five years prior to application date; felony convictions can not be disqualifying felonies, which are murder, sexual offenses, or crimes against public administration involving bribery or improper influence or abuse of office.
• not be mentally incompetent

Mailing address:
State of Delaware
Office of the State Election Commissioner
905 S. Governors Ave., Suite 170
Dover, DE 19904

State Instructions

District of Columbia

Updated: 10-29-2003

Registration Deadline — 30 days before the election.

6. ID Number. Federal law now requires that all voter registration applications must include either the applicant's driver's license number or the last four digits of the applicant's social security number in order to be processed.
7. Choice of Party. You must register with a party if you want to take part in that party's primary election, caucus, or convention.
8. Race or Ethnic Group. Leave blank.
9. Signature. To register in the District of Columbia you must:
• be a citizen of the United States
• be a District of Columbia resident at least 30 days preceding the next election
• be at least 18 years old on or preceding the next election
• not be in jail for a felony conviction
• not have been judged "mentally incompetent" by a court of law
• not claim the right to vote anywhere outside D.C.

Mailing address:
District of Columbia Board of Elections & Ethics
441 4th Street, NW, Suite 250
Washington, DC 20001-2745

Florida

Updated: 11-30-2011

Registration Deadline — 29 days before the election.

6. ID Number. If you have one, you must provide your Florida driver's license number or Florida identification card number. If you do not have a Florida driver's license or identification card, you must provide the last four digits of your social security number. If you have not been issued any of these numbers, you must write the word "NONE."
7. Choice of Party. You must register with a party if you want to take part in that party's primary election, caucus, or convention.
8. Race or Ethnic Group. You are requested, but not required, to fill in this box. See the list of choices under the Application Instructions for Box 8 (on page 2).
9. Signature. To register in Florida you must:
• be a citizen of the United States
• be a legal resident of both the State of Florida and of the county in which you seek to be registered
• be 18 years old (you may pre-register if you are at least 16)
• not be adjudicated mentally incapacitated with respect to voting in Florida or any other State, or if you have, you must first have your voting rights restored.
• not be a convicted felon, or if you are, you must first have your civil rights restored if they were taken away.
• swear or affirm the following: "I will protect and defend the Constitution of the United States and the Constitution of the State of Florida, that I am qualified to register as an elector under the Constitution and laws of the State of Florida, and that all information in this application is true."

Mailing address:
State of Florida
Department of State
Division of Elections
The R.A. Gray Building
500 South Bronough St, Rm 316
Tallahassee, Florida 32399-0250

Georgia

Updated: 08-15-2013

Registration Deadline — The fifth Monday before any general primary, general election, or presidential preference primary, or regularly scheduled special election pursuant to the Georgia Election Code. In the event that a special election is scheduled on a date other that those dates prescribed by the Georgia Election Code, registration would close on the 5th day after the call.

6. ID Number. Federal law requires you to provide your full GA Drivers License number or GA State issued ID number. If you do not have a GA Drivers License or GA ID you must provide the last 4 digits of your Social Security number. Providing your full Social Security number is optional. Your Social Security number will be kept confidential and may be used for comparison with other state agency databases for voter registration identification purposes. If you do not possess a GA Drivers License or Social Security number, a unique identifier will be provided for you.
7. Choice of Party. You do not have to register with a party to take part in that party's primary, caucus or convention.
8. Race or Ethnic Group. You are requested to fill in this box. See the list of choices under the Application Instructions for Box 8 (on page 2).
9. Signature. To register in Georgia you must:
• be a citizen of the United States
• be a legal resident of Georgia and of the county in which you want to vote

State Instructions

• be 18 years old within six months after the day of registration, and be 18 years old to vote
• not be serving a sentence for having been convicted of a felony
• not have been judicially determined to be mentally incompetent, unless the disability has been removed

Mailing address:
Elections Division
Office of the Secretary of State
2 Martin Luther King Jr. Drive
Suite 802 Floyd West Tower
Atlanta, Georgia 30334

Hawaii

Updated: 03-01-2006

Registration Deadline — 30 days before the election.

6. ID Number. Your full social security number is required. It is used to prevent fraudulent registration and voting. Failure to furnish this information will prevent acceptance of this application (Hawaii Revised Statutes, Section 11-15).
7. Choice of Party. A "choice of party" is not required for voter registration.
8. Race or Ethnic Group. Race or ethnic group information is not required for voter registration.
9. Signature. To register in Hawaii you must:
• be a citizen of the United States
• be a resident of the State of Hawaii
• be at least 16 years old (you must be 18 years old by election day in order to vote)
• not be incarcerated for a felony conviction
• not be adjudicated by a court as "non compos mentis"

Mailing address:
Office of Elections
State of Hawaii
802 Lehua Avenue
Pearl City, HI 96782

Idaho

Updated: 03-01-2006

Registration Deadline — 25 days before the election.

6. ID Number. Enter your driver's license number. If you have no driver's license, enter the last 4 digits of your social security number.
7. Choice of Party. You do not have to register with a party if you want to take part in that party's primary election, caucus, or convention.
8. Race or Ethnic Group. Leave blank.
9. Signature. To register in Idaho you must:
• be a citizen of the United States
• have resided in Idaho and in the county for 30 days prior to the day of election
• be at least 18 years old
• not have been convicted of a felony, and without having been restored to the rights of citizenship, or confined in prison on conviction of a criminal offense

Mailing address:
Secretary of State
P.O. Box 83720
State Capitol Bldg.
Boise, ID 83720-0080

Illinois

Updated: 08-14-2012

Registration Deadline — 28 days prior to each election.

6. ID Number. Your driver's license number is required to register to vote. If you do not have a driver's license, at least the last four digits of your social security number are required. If you have neither, please write "NONE" on the form. A unique identifier will be assigned to you by the State.
7. Choice of Party. Party registration or preference is not required for voter registration. However, when you apply for a primary ballot, you must indicate your party preference for that election.
8. Race or Ethnic Group. Leave blank.
9. Signature. A signature is required. If signature is missing from registration form, you will be notified your registration is incomplete.
To register in Illinois you must:
• be a citizen of the United States
• be a resident of Illinois and of your election precinct at least 30 days before the next election
• be at least 18 years old on or before the next election
• not be in jail for a felony conviction
• not claim the right to vote anywhere else

Mailing address:
State Board of Elections
2329 S. MacArthur Boulevard
Springfield, IL 62704

State Instructions

Indiana

Updated: 03-01-2006

Registration Deadline — 29 days before the election.

6. ID Number. Your state voter ID number is your ten digit Indiana issued driver's license number. If you do not possess an Indiana driver's license then provide the last four digits of your social security number. Please indicate which number was provided. (Indiana Code 3-7-13-13)
7. Choice of Party. Leave blank.
8. Race or Ethnic Group. Leave blank.
9. Signature. To register in Indiana you must:
- be a citizen of the United States
- have resided in the precinct at least 30 days before the next election
- be at least 18 years of age on the day of the next general election
- not currently be in jail for a criminal conviction

Mailing address:
Election Division
Office of the Secretary of State
302 West Washington Street,
Room E-204
Indianapolis, IN 46204-2743

Iowa

Updated: 03-28-2008

Registration Deadline — Must be delivered by 5 p.m. 10 days before the election, if it is a state primary or general election; 11 days before all others.* Registration forms which are postmarked 15 or more days before an election are considered on time even if received after the deadline.

*If you fail to meet the voter registration deadlines above you can register and vote by following the guidelines for election day registration. You can find these on the Iowa Secretary of State's website: www.sos.state.ia.us/pdfs/elections/EDRbrochure.pdf.

6. ID Number. Your ID number is your Iowa driver's license number (or Iowa non-driver identification number) if you have one, if not then the last four digits of your social security number. The ID number you provide will be verified with the Iowa Department of Transportation or the Social Security Administration.
7. Choice of Party. You may, but do not have to, register with a party in advance if you want to take part in that party's primary election. You may change or declare a party affiliation at the polls on primary election day.
8. Race or Ethnic Group. Leave blank.
9. Signature. To register in Iowa you must:
- be a citizen of the United States
- be a resident of Iowa
- be at least 17-1/2 years old (you must be 18 to vote)
- not have been convicted of a felony (or have had your rights restored)
- not currently be judged by a court to be "incompetent to vote"
- not claim the right to vote in more than one place
- give up your right to vote in any other place

Mailing address:
Elections Division
Office of the Secretary of State
Lucas Building-1st Floor
321 E. 12th Street
Des Moines, IA 50319

Kansas

Updated: 10-25-2012

Registration Deadline — Postmarked or delivered 21 days before the election

6. ID Number. Your completed voter registration form must contain your state issued driver's license number or nondriver's identification card number. If you do not have a driver's license or nondriver's identification card, you must include the last four digits of your social security number. If you do not have a driver's license or a nondriver's identification card or social security number, please write "NONE" on the form. A unique identifying number will be assigned by the State. The number you provide will be used for administrative purposes only and will not be disclosed to the public. (KSA 25-2309).
7. Choice of Party. You must register with a party if you want to take part in that party's primary election, caucus, or convention.
8. Race or Ethnic Group. Leave blank.
9. Signature. To register in Kansas you must:
- be a citizen of the United States
- be a resident of Kansas
- be 18 by the next election
- have completed the terms of your sentence if convicted of a felony; a person serving a sentence for a felony conviction is ineligible to vote
- not claim the right to vote in any other location or under any other name
- not be excluded from voting by a court of competent jurisdiction

State Instructions

Mailing address:
Secretary of State
1st Floor, Memorial Hall
120 SW 10th Ave.
Topeka, KS 66612-1594

Kentucky

Updated: 03-01-2006

Registration Deadline — 29 days before the election.

6. ID Number. Your full social security number is required. It is used for administrative purposes only and is not released to the public (KRS 116.155). No person shall be denied the right to register because of failure to include social security number.
7. Choice of Party. You must register with a party if you want to take part in that party's primary election, caucus, or convention.
8. Race or Ethnic Group. Leave blank.
9. Signature. To register in Kentucky you must:
• be a citizen of the United States
• be a resident of Kentucky
• be a resident of the county for at least 28 days prior to the election date
• be 18 years of age on or before the next general election
• not be a convicted felon or if you have been convicted of a felony, your civil rights must have been restored by executive pardon
• not have been judged "mentally incompetent" in a court of law
• not claim the right to vote anywhere outside Kentucky

Mailing address:
State Board of Elections
140 Walnut Street
Frankfort, KY 40601-3240

Louisiana

Updated: 08-14-2012

Registration Deadline — 30 days before the election.

6. ID Number. You must provide your Louisiana driver's license number or Louisiana special identification card number, if issued. If not issued, you must provide at least the last four digits of your social security number, if issued. The full social security number may be provided on a voluntary basis. If the applicant has neither a Louisiana driver's license, a Louisiana special identification card, or a social security number, the applicant shall attach one of the following items to his application: (a) a copy of a current and valid photo identification; or (b) a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of applicant. Neither the registrar nor the Department of State shall disclose the social security number of a registered voter or circulate the social security numbers of registered voters on commercial lists (R.S. 18:104 and 154; 42 U.S.C. § 405).
7. Choice of Party. If you do not list a party affiliation, you cannot vote in the Presidential Preference Primary and party committee elections. Political party affiliation is not required for any other election.
8. Race or Ethnic Group. You are requested to fill in this box. See the list of choices under the Application Instructions for Box 8 (on page 2).
9. Signature. To register in Louisiana you must:
• be a citizen of the United States
• be a resident of Louisiana (Residence address must be address where you claim homestead exemption, if any, except for a resident in a nursing home or veteran's home who may select to use the address of the nursing home or veterans' home or the home where he has a homestead exemption. A college student may elect to use his home address or his address while away at school.)
• be at least 17 years old, and be 18 years old prior to the next election to vote
• not currently be under an order of imprisonment for conviction of a felony
• not currently be under a judgment of interdiction for mental incompetence

Mailing address:
Secretary of State
Attention: Voter Registration
P.O. Box 94125
Baton Rouge, LA 70804-9125

Maine

Updated: 08-14-2012

Registration Deadline — Delivered 21 business days before the election (or a voter may register *in-person* up to and including election day).

6. ID Number. You must list your valid Maine driver's license number. If you don't have a valid Maine driver's license, then you must provide the last four digits of your Social Security Number. Voters who don't have either of these forms of ID must write "NONE" in this space.

State Instructions

7. Choice of Party. You must register with a party if you want to take part in that party's primary election, caucus, or convention (unless otherwise permitted by a political party).
8. Race or Ethnic Group. Leave blank.
9. Signature. To register in Maine you must:
• be a citizen of the United States
• be a resident of Maine and the municipality in which you want to vote
• be at least 17 years old (you must be 18 years old to vote)

Mailing address:
Elections Division
Bureau of Corporations,
Elections and Commissions
101 State House Station
Augusta, ME 04333-0101

Maryland

Updated: 06-26-2008

Registration Deadline — 9:00 p.m. 21 days before the election.

6. ID Number. If you have a current, valid Maryland driver's license or a Motor Vehicle Administration identification card, you must enter the driver's license or identification number. If you do not have a current, valid Maryland driver's license or Motor Vehicle Administration identification card, you must enter at least the last 4 digits of your social security number. However, please note, the disclosure of your full Social Security number is voluntary. The statutory authority allowing election officials to request your full Social Security number is Election Law Article, Section 3-202, Annotated Code of Maryland. The number will be used only for registration and other administrative purposes. It will be kept confidential.
7. Choice of Party. You must register with a party if you want to take part in that party's primary election.
8. Race or Ethnic Group. Leave blank.
9. Signature. To register in Maryland you must:
• be a U.S. citizen
• be a Maryland resident
• be at least 18 years old by the next general election
• not be under guardianship for mental disability
• not have been convicted of buying or selling votes
• not have been convicted of a felony, or if you have, you have completed serving a court ordered sentence of imprisonment, including any term of parole or probation for the conviction.

Mailing address:
State Board of Elections
P.O. Box 6486
Annapolis, MD 21401-0486

Massachusetts

Updated: 03-01-2006

Registration Deadline — 20 days before the election.

6. ID Number. Federal law requires that you provide your driver's license number to register to vote. If you do not have a current and valid Massachusetts' driver's license then you must provide the last four (4) digits of your social security number. If you have neither, you must write "NONE" in the box and a unique identifying number will be assigned to you.
7. Choice of Party. If you do not designate a party of political designation in this box, you will be registered as unenrolled. Unenrolled voters may participate in party primaries. However, an unenrolled voter must enroll in a party on the day of the Presidential Preference Primary in order to participate in that primary.
8. Race or Ethnic Group. Leave blank.
9. Signature. To register in Massachusetts you must:
• be a citizen of the United States
• be a resident of Massachusetts
• be 18 years old on or before the next election
• not have been convicted of corrupt practices in respect to elections
• not be under guardianship with respect to voting
• not be currently incarcerated for a felony conviction

Mailing address:
Secretary of the Commonwealth
Elections Division, Room 1705
One Ashburton Place
Boston, MA 02108

Michigan

Updated: 03-01-2006

Registration Deadline — 30 days before the election.

6. ID Number. Your completed voter registration form must contain your state issued driver's license number or state issued personal identification card number. If you do not have a driver's license or state issued personal identification card, you must include the last four digits of your social security number. If you

State Instructions

do not have a driver's license or a state issued personal identification card or a social security number, please write "NONE" on the form. A unique identifying number will be assigned by the State.
7. Choice of Party. A "choice of party" is not required for voter registration.
8. Race or Ethnic Group. Leave blank.
9. Signature. To register in Michigan you must:
• be a citizen of the United States
• be 18 years old by the next election
• be a resident of Michigan and at least a 30 day resident of your city or township by election day
• not be confined in a jail after being convicted and sentenced

Notice: Michigan law requires that the same address be used for voter registration and driver license purposes. Therefore, if the residence address you provide on this form differs from the address shown on a driver license or personal identification card issued by the State of Michigan, the Secretary of State will automatically change your driver license or personal identification card address to match the residence address entered on this form. If an address change is made, the Secretary of State will mail you an address update sticker for your driver license or personal identification card.
Caution: If you register by mail, you must vote in person at your assigned precinct the first time you vote, unless you are:
• disabled as defined by state law;
• 60 years of age or older; or
• temporarily residing overseas.

Mailing address:
Michigan Department of State
Bureau of Elections
P.O. Box 20126
Lansing, MI 48901-0726

Minnesota

Updated: 12-31-2008

Registration Deadline — Delivered by 5:00 p.m. 21 days before the election (there is also election day registration at polling places).

6. ID Number. You are required to provide your Minnesota driver's license or state ID number to register to Vote. If you do not have a Minnesota driver's license or state ID then you will have to provide the last four digits of your social security number. If you have neither, please write "none" on the form.
7. Choice of Party. Leave blank.
8. Race or Ethnic Group. Leave blank.
9. Signature. To register in Minnesota you must:
• be a citizen of the United States
• be a resident of Minnesota for 20 days before the next election
• maintain residence at the address given on the registration form
• be at least 18 years old on election day
• if previously convicted of a felony, your felony sentence has expired or been completed, or you have been discharged from the sentence
• not be under a court-ordered guardianship in which the right to vote has been revoked
• not be found by a court to be legally incompetent to vote.

Mailing address:
Secretary of State
60 Empire Drive, Suite 100
St. Paul, MN 55103-1855

Mississippi

Updated: 05-07-2010

Registration Deadline — 30 days before the election.

6. ID Number. You are required to provide your current and valid driver's license number or, if you don't have one, the last four digits of your social security number.
7. Choice of Party. Mississippi does not have party registration. Therefore, you do not have to register with a party if you want to take part in that party's primary election, caucus, or convention.
8. Race or Ethnic Group. Leave blank.
9. Signature. To register in Mississippi you must:
• be a citizen of the United States
• have lived in Mississippi and in your county (and city, if applicable) 30 days before the election in which you want to vote
• be 18 years old by the time of the general election in which you want to vote
• have not been convicted of murder, rape, bribery, theft, arson, obtaining money or goods under false pretense, perjury, forgery, embezzlement, armed robbery, extortion, felony bad check, felony shoplifting, larceny, receiving stolen property, robbery, timber larceny, unlawful taking of a motor vehicle, statutory rape, carjacking, or bigamy, or have had your rights restored as required by law
• not have been declared mentally incompetent by a court

State Instructions

Note: State law changed by federal court order in 1998 and by state legislation in 2000. We now accept the form as registration for voting for all state and federal offices.

Mailing address:
Secretary of State
P.O. Box 136
Jackson, MS 39205-0136

Local county addresses:
You also may return completed applications to the county circuit clerk/registrar where you reside. A complete list of county circuit clerk/registrars is available on Mississippi's website at www.sos.ms.gov.

Missouri

Updated: 09-12-2006

Registration Deadline — 28 days before the election.

6. ID Number. Your completed voter registration form must contain your state issued driver's license number. Your completed voter registration form must also include the last four digits of your social security number. (Section 115.155, RSMo). If you do not have a driver's license or a social security number, please write "NONE" on the form. A unique identifying number will be assigned by the State. Any electronic media, printouts or mailing labels provided under this section shall not include telephone numbers and social security numbers of voters. (Section 115.157, RSMo).
7. Choice of Party. You do not have to register with a party if you want to take part in that party's primary election, caucus, or convention.
8. Race or Ethnic Group. Leave blank.
9. Signature. To vote in Missouri you must:
- be a citizen of the United States
- be a resident of Missouri
- be at least 17-1/2 years of age (you must be 18 to vote)
- not be on probation or parole after conviction of a felony, until finally discharged from such probation or parole
- not be convicted of a felony or misdemeanor connected with the right of suffrage
- not be adjudged incapacitated by any court of law
- not be confined under a sentence of imprisonment

Mailing address:
Secretary of State
P.O. Box 1767
Jefferson City, MO 65102-1767

Montana

Updated: 03-01-2006

Registration Deadline — 30 days before the election.

6. ID Number. You must provide your Montana driver's license number. If you do not have a Montana driver's license number then you must list the LAST FOUR DIGITS OF YOUR SOCIAL SECURITY NUMBER. If you have neither a driver's license, nor a social security number, please write "NONE" on the form. The state of Montana will assign to you a unique identifying number.
7. Choice of Party. Montana does not require party registration to participate in any election.
8. Race or Ethnic Group. Leave blank.
9. Signature. To register in Montana you must:
- be a citizen of the United States
- be at least 18 years old on or before the election
- be a resident of Montana and of the county in which you want to vote for at least 30 days before the next election
- not be in a penal institution for a felony conviction
- not currently be determined by a court to be of unsound mind
- meet these qualifications by the next election day if you do not currently meet them

Mailing address:
Secretary of State's Office
P.O. Box 202801
State Capitol
Helena, MT 59620-2801

Nebraska

Updated: 03-01-2006

Registration Deadline — The third Friday before the election (or delivered by 6 p.m. on the second Friday before the election).

6. ID Number. You must provide your Nebraska driver's license number. If you do not have a Nebraska driver's license number then you must list the last four digits of your social security number.
7. Choice of Party. You must register with a party if you want to take part in that party's primary election, caucus, or convention.
8. Race or Ethnic Group. Leave blank.
9. Signature. To register in Nebraska you must:
- be a citizen of the United States
- be a resident of Nebraska

State Instructions

• be at least 18 years of age or will be 18 years of age on or before the first Tuesday after the first Monday of November
• not have been convicted of a felony, or if convicted, have had your civil rights restored
• not have been officially found to be mentally incompetent

Mailing address:
Nebraska Secretary of State
Suite 2300, State Capitol Bldg.
Lincoln, NE 68509-4608

Nevada

Updated: 05-07-2010

Registration Deadline — The deadline for mail-in registration is the fifth Saturday before any primary or general election. In person registration remains available until 9:00 p.m. on the third Tuesday preceding any primary or general election. You may register to vote in person only by appearing at the office of the County Clerk/Registrar of Voters.

6. ID Number. You must supply a Nevada's Driver's License Number or Nevada ID Card Number if you have been issued one. If you do not have a Driver's License Number or Nevada ID Card Number, you must supply the last four digits of your Social Security Number. If you do not have a Social Security Number, please contact your County Clerk/Registrar of Voters to be assigned a unique identifier.
7. Choice of Party. You must register with a party if you want to take part in that party's primary election, caucus, or convention. If you register with a minor political party, or as a Nonpartisan you will receive a Nonpartisan Ballot for the Primary Election.
8. Race or Ethnic Group. Leave blank.
9. Signature. To register in Nevada you must:
• be a citizen of the United States
• have attained the age of 18 years on the date of the next election
• have continuously resided in the State of Nevada, in your county, at least 30 days and in your precinct at least 10 days before the next election
• have your civil rights restored if you were convicted of a felony
• not be determined by a court of law to be mentally incompetent
• claim no other place as your legal residence

Mailing address:
Secretary of State
Elections Division
101 North Carson Street
Suite 3
Carson City, NV 89701-4786

Applications may be returned to the Secretary of State's office at the address above, but to avoid possible delays, you are advised to return your completed voter registration applications directly to your local county election official.

Local county addresses:
To meet registration deadlines, especially during the two weeks before the close of the mail-in registration deadline, return completed applications to your respective County Clerk/Registrar of Voters. A complete list of County Clerk/Registrar of Voters and registration deadlines is available on Nevada's website: www.nvsos.gov.

New Hampshire

Updated: 03-01-2006

Registration Deadline — New Hampshire town and city clerks will accept this application only as a request for their own absentee voter mail-in registration form, which must be received by your city or town clerk by 10 days before the election.

New Hampshire town and city clerks will accept this application only as a request for their own absentee voter mail-in registration form. You need to fill in only Box 1 and Box 2 or 3.

The application should be mailed to your town or city clerk at your zip code. These addresses are listed on the Secretary of State web site at www.state.nh.us/sos/clerks.htm

It should be mailed in plenty of time for your town or city clerk to mail you their own form and for you to return that form to them by 10 days before the election.

New Jersey

Updated: 03-28-2008

Registration Deadline — 21 days before the election.

6. ID Number. The last four digits of your Social Security number OR your New Jersey Driver's License number is required for voter registration. If you do not possess either of these identifications, please write "NONE" on the form. The State will assign a number that will serve to identify you for voter registration purposes.

State Instructions

7. Choice of Party. New Jersey's voter registration form does not provide a check-off for political party affiliation. A newly registered voter or voter who has never voted in a political party primary election can declare party affiliation at the polling place on the day of a primary election. In New Jersey, a primary election is only held for the Democratic and Republican parties. A voter may also file a political party declaration form to become a member of a political party. If a declared voter wished to change party affiliation he or she must file a declaration form 50 days before the primary election, in order to vote.
8. Race or Ethnic Group. Leave blank.
9. Signature. To register in New Jersey you must:
• be a citizen of the United States
• be at least 18 years of age by the time of the next election
• be a resident of this State and county at your address at least 30 days before the next election
• not be serving a sentence or on parole or probation as the result of a conviction of any indictable offense under the laws of this or another state or of the United States

Mailing address:
New Jersey Department of Law and Public Safety
Division of Elections
PO BOX 304
Trenton, NJ 08625-0304

New Mexico

Updated: 03-01-2006

Registration Deadline — 28 days before the election.

6. ID Number. Your full social security number is required. This registration card containing your social security number will become part of the permanent voter registration records of your locality, which are open to inspection by the public in the office of the county clerk. However, your social security number and date of birth will remain confidential and will not be disclosed to the public. Computerized listings of limited voter registration information (without social security number or birth date) are available to the general public, and are furnished upon request to incumbent election officeholders, candidates, political parties, courts and non-profit organizations promoting voter participation and registration, for political purposes only (§1-5-19B, NMSA 1978).
7. Choice of Party. You must register with a party if you want to take part in that party's primary election, caucus, or convention.
8. Race or Ethnic Group. Leave blank.
9. Signature. To register in New Mexico you must:
• be a citizen of the United States
• be a resident of the State of New Mexico
• be 18 years of age at the time of the next election
• not have been denied the right to vote by a court of law by reason of mental incapacity and, if I have been convicted of a felony, I have completed all conditions of probation or parole, served the entirety of a sentence or have been granted a pardon by the Governor.

Mailing address:
Bureau of Elections
325 Don Gaspar, Suite 300
Santa Fe, NM 87503

New York

Updated: 06-19-2014

Registration Deadline — 25 days before the election.

6. ID Number. Federal law requires that you provide your driver's license number to register to vote. If you do not have a driver's license then you will have to provide at least the last four digits of your social security number. If you have neither, please write "NONE" on the form. A unique identifying number will be assigned to you by your State.
7. Choice of Party. You must enroll with a party if you want to vote in that party's primary election or caucus.
8. Race or Ethnic Group. Leave blank.
9. Signature. To register in New York you must:
• be a citizen of the United States
• be a resident of the county, or of the City of New York, at least 30 days before an election
• be 18 years old by December 31 of the year in which you file this form (*Note:* You must be 18 years old by the date of the general, primary, or other election in which you want to vote)
• not be in jail or on parole for a felony conviction
• not currently be judged incompetent by order of a court of competent judicial authority
• not claim the right to vote elsewhere

Mailing address:
NYS Board of Elections
40 North Pearl Street, Suite 5
Albany, NY 12207-2729

State Instructions

North Carolina

Updated: 03-01-2006

Registration Deadline — Postmarked 25 days before the election or received in the elections office or designated voter registration agency site by 5:00 p.m. 25 days before the election.

6. ID Number. Provide your North Carolina driver's license number, or North Carolina Department of Motor Vehicles ID number. If you do not have a driver's license, then list the last four digits of your social security number.
7. Choice of Party. You must register with a party to vote in that party's primary unless that party allows unaffiliated voters to vote in its primary. If you indicate a political party that is not a qualified party, or indicate no party, you will be listed as "Unaffiliated".
8. Race or Ethnic Group. You are required to fill in this box. However, your application will not be rejected if you fail to do so. See the list of choices under the Application Instructions for Box 8 (on page 2).
9. Signature. To register in North Carolina you must:
- be a citizen of the United States
- be a resident of North Carolina and the county in which you live for at least 30 days prior to the election
- be 18 years of age by the day of the next general election
- have your rights of citizenship restored if you have been convicted of a felony
- not be registered or vote in any other county or state

Mailing address:
State Board of Elections
P.O. Box 27255
Raleigh, NC 27611-7255

North Dakota

Updated: 03-01-2006

North Dakota does not have voter registration.

Ohio

Updated: 03-01-2006

Registration Deadline — 30 days before the election.

6. ID Number. Your social security number is requested. Providing this number is voluntary. This information allows the Board of Elections to verify your registration if necessary (O.R.C. 3503.14). [Federal law requires that you provide your driver's license number to register to vote. If you do not have a driver's license then you will have to provide at least the last four digits of your social security number. If you don't have either number you will have to write "NONE" on the form and the State will assign you a number.]
7. Choice of Party. You do not register with a party if you want to take part in that party's primary election. Party affiliation is established by voting at a primary election.
8. Race or Ethnic Group. Leave blank.
9. Signature. To register in Ohio you must:
- be a citizen of the United States
- be a resident of Ohio
- be 18 years old on or before election day. If you will be 18 on or before the day of the general election, you may vote in the primary election for candidates only.
- not be convicted of a felony and currently incarcerated
- not be found incompetent by a court for purposes of voting

Mailing address:
Secretary of State of Ohio
Elections Division
180 E. Broad Street — 15th Floor
Columbus, OH 43215

Oklahoma

Updated: 10-29-2003

Registration Deadline — 25 days before the election.

6. ID Number. The last four digits of your social security number are required. (Oklahoma Title 26, Section 4-112) In addition, your Oklahoma driver's license number is requested.
7. Choice of Party. You must register with a party if you want to take part in that party's primary election, caucus, or convention.
8. Race or Ethnic Group. Leave blank.
9. Signature. To register in Oklahoma you must:
- be a citizen of the United States and a resident of the State of Oklahoma
- be 18 years old on or before the date of the next election
- have not been convicted of a felony, for which a period of time equal to the original sentence has not expired, or for which you have not been pardoned
- not now be under judgment as an incapacitated person, or a partially incapacitated person prohibited from registering to vote

Mailing address:
Oklahoma State Election Board
Box 528800
Oklahoma City, OK 73152-8800

State Instructions

Oregon

Updated: 03-01-2006

Registration Deadline — 21 days before the election.

6. ID Number. Federal law requires that you provide your driver's license number to register to vote. If you do not have a driver's license then you will have to provide at least the last four digits of your social security number. If you have neither, you will need to write "NONE" on the form. A unique identifying number will instead be assigned to you by your State.
7. Choice of Party. You must register with a party if you want to take part in that party's primary election.
8. Race or Ethnic Group. Leave blank.
9. Signature. To register in Oregon you must:
- be a citizen of the United States
- be a resident of Oregon
- be at least 18 years old by election day

Mailing address:
Secretary of State
Elections Division
141 State Capitol
Salem, OR 97310-0722

Pennsylvania

Updated: 03-01-2006

Registration Deadline — 30 days before an election or primary.

6. ID Number. You must supply a Driver's License Number, if you have one. If you do not have a Driver's License Number, you must supply the last four digits of your social Security Number. If you do not have a Social Security Number, please write "NONE" in the box.
7. Choice of Party. You must register with a party if you want to take part in that party's primary election.
8. Race or Ethnic Group. You are requested to fill in this box. See the list of choices under the Application Instructions for Box 8 (on page 2).
9. Signature. To register in Pennsylvania you must:
- be a citizen of the United States at least one month before the next election
- be a resident of Pennsylvania and your election district at least 30 days before the election
- be at least 18 years of age on the day of the next election

Mailing address:
Office of the Secretary of the Commonwealth
210 North Office Bldg.
Harrisburg, PA 17120-0029

Rhode Island

Updated: 03-28-2008

Registration Deadline — 30 days before the election.

6. ID Number. The applicant shall be required to provide his/her Rhode Island driver's license number if the applicant has been issued a current and valid Rhode Island driver's license. In the case of an applicant who has not been issued a current and valid driver's license he/she must provide the last four (4) digits of his/her social security number. An applicant, who has neither, will be assigned a unique identifying number by the State of Rhode Island.
7. Choice of Party. In Rhode Island, a person must register with a party if he/she wishes to take part in that party's primary election. A person who fails to register with a party at the time of registration may, if he/she chooses, register with a party on the day of that party's primary and take part in that party's primary election. If a person does not register with a party, he/she can still vote in general elections and non-partisan primary elections.
8. Race or Ethnic Group. Leave blank.
9. Signature. To register in Rhode Island you must:
- be a citizen of the United States
- be a resident of Rhode Island for 30 days preceding the next election
- be 18 years old by election day
- not be currently incarcerated in a correctional facility due to a felony conviction
- not have been lawfully judged to be mentally incompetent

Mailing address:
Rhode Island State Board of Elections
50 Branch Ave.
Providence, RI 02904-2790

South Carolina

Updated: 03-01-2006

Registration Deadline — 30 days before the election.

6. ID Number. Your full social security number is required. It is required by the South Carolina Code of Laws and is used for internal purposes only. Social security number does not appear on any report produced by the State Election Commission nor is it released to any unauthorized

State Instructions

individual. (South Carolina Title 7-5-170)
7. Choice of Party. You do not have to register with a party if you want to take part in that party's primary election, caucus, or convention.
8. Race or Ethnic Group. You are required to fill in this box. Your application may be rejected if you fail to do so. See the list of choices under the Application Instructions for Box 8 (on page 2).
9. Signature. To register in South Carolina you must:
- be a citizen of the United States
- be at least 18 years old on or before the next election
- be a resident of South Carolina, your county and precinct
- not be confined in any public prison resulting from a conviction of a crime
- never have been convicted of a felony or offense against the election laws, or if previously convicted, have served your entire sentence, including probation or parole, or have received a pardon for the conviction
- not be under a court order declaring you mentally incompetent
- claim the address on the application as your only legal place of residence and claim no other place as your legal residence

Mailing address:
State Election Commission
P.O. Box 5987
Columbia, SC 29250-5987

South Dakota

Updated: 03-01-2006

Registration Deadline — Received 15 days before the election.

6. ID Number. Your driver's license number is requested. If you do not have a valid driver's license, you must provide the last four digits of your social security number.
7. Choice of Party. You must register with a party if you want to take part in that party's primary election, caucus, or convention.
8. Race or Ethnic Group. Leave blank.
9. Signature. To register in South Dakota you must:
- be a citizen of the United States
- reside in South Dakota
- be 18 years old by the next election
- not be currently serving a sentence for a felony conviction which included imprisonment, served or suspended, in an adult penitentiary system
- not have been adjudged mentally incompetent by a court

Mailing address:
Elections, Secretary of State
500 E. Capitol
Pierre, SD 57501-5070

Tennessee

Updated: 06-19-2014

Registration Deadline — 30 days before the election.

6. ID Number. Your full social security number is required. Social security number, if any, is required for purposes of identification and to avoid duplicate registration (TCA 2.2.116).
7. Choice of Party. You do not have to register with a party if you want to take part in that party's primary election, caucus, or convention.
8. Race or Ethnic Group. Optional.
9. Signature. To register in Tennessee you must:
- be a citizen of the United States
- be a resident of Tennessee
- be at least 18 years old on or before the next election
- not have been convicted of a felony, or if convicted, have had your full rights of citizenship restored (or have received a pardon)
- not be adjudicated incompetent by a court of competent jurisdiction (or have been restored to legal capacity)

Mailing address:
Coordinator of Elections
Tennessee Tower, Seventh Floor
312 Rosa L. Parks Ave.
Nashville, TN 37243-1102

Texas

Updated: 03-01-2006

Registration Deadline — 30 days before the election.

6. ID Number. You must provide your driver's license number to register to vote. If you do not have a driver's license then you will have to provide at least the last four digits of your social security number. If you have neither, please write "NONE" on the form. A unique identifying number will instead be assigned to you by your State.
7. Choice of Party. You do not have to register with a party if you want to take part in that party's primary election, caucus, or convention.
8. Race or Ethnic Group. Leave blank.
9. Signature. To register in Texas you must:
- be a citizen of the United States

State Instructions

• be a resident of the county in which the application for registration is made
• be at least 17 years and 10 months old (you must be 18 to vote)
• not be finally convicted of a felony, or if a convicted felon, you must have fully discharged your punishment, including any incarceration, parole, supervision, period of probation or be pardoned.
• have not been declared mentally incompetent by final judgment of a court of law

Mailing address:
Office of the Secretary of State
Elections Division
P.O. Box 12060
Austin, TX 78711-2060

Utah

Updated: 03-28-2008

Registration Deadline — 30 days before the election for mail-in applications; 15 days before the election for walk-in registrations at the county clerk's office.

6. ID Number. Your completed voter registration form must contain your state issued driver's license number or nonoperating identification number. If you do not have a driver's license or nonoperating identification, you must include the last four digits of your social security number. If you do not have a driver's license or a nonoperating identification or a social security number, please write "NONE" on the form. A unique identifying number will be assigned by the State.
7. Choice of Party. Declaring a party is not required in order to register to vote. However, Utah's election law allows each political party to choose whom it will allow to vote in its primary election. If you do not affiliate with a party, you may be restricted from voting in the primary.
8. Race or Ethnic Group. Leave blank.
9. Signature. To register in Utah you must:
• be a citizen of the United States
• have resided in Utah for 30 days immediately before the next election
• be at least 18 years old on or before the next election
• not be a convicted felon currently incarcerated for commission of a felony
• not be convicted of treason or crime against the elective franchise, unless restored to civil rights
• not be found to be mentally incompetent by a court of law

Mailing address:
Office of the Lieutenant Governor
P.O. Box 142325
Salt Lake City, UT 84114

Vermont

Updated: 07-29-2008

Registration Deadline — Delivered to the town clerk before 5:00 PM on the Wednesday before the election.

6. ID Number. You must provide your Vermont Driver's license number, or if none, the last 4 digits of your Social Security number. If you do not have a Vermont Driver's license or a Social Security number, please write "NONE" on the form. The Secretary of State's office will assign you a unique identifying number.
7. Choice of Party. Vermont does not require party registration to participate in any election.
8. Race or Ethnic Group. Leave blank.
9. Signature. To register in Vermont you must:
• be a citizen of the United States
• be a resident of Vermont
• be 18 years of age on or before election day
• have taken the following Oath: You solemnly swear (or affirm) that whenever you give your vote or suffrage, touching any matter that concerns the state of Vermont, you will do it so as in your conscience you shall judge will most conduce to the best good of the same, as established by the Constitution, without fear or favor of any person [Voter's Oath, Vermont Constitution, Chapter II, Section 42]
By signing in Box 9, you are attesting that you have sworn or affirmed the Vermont voter's oath as printed above.

Mailing address:
Office of the Secretary of State
Director of Elections
26 Terrace Street
Montpelier, VT 05609-1101

Virginia

Updated: 11-30-2011

Registration Deadline — Delivered 22 days before the election.

6. ID Number. Your full social security number is required. Your social security number will appear on reports produced only for official use by voter registration and election officials and, for jury selection purposes, by courts.

State Instructions

Article II, §2, Constitution of Virginia (1971).
7. Choice of Party. You do not have to register with a party if you want to take part in that party's primary election, caucus, or convention.
8. Race or Ethnic Group. Leave blank.
9. Signature. To register in Virginia you must:
• be a citizen of the United States
• be a resident of Virginia and of the precinct in which you want to vote
• be 18 years old by the next May or November general election
• not have been convicted of a felony, or have had your civil rights restored
• not currently be declared mentally incompetent by a court of law

Mailing address:
Virginia State Board of Elections
1100 Bank Street, 1st floor
Richmond, VA 23219

Washington

Updated: 9-24-2012

Registration Deadline — 29 days before the election (or delivered in-person to the local voter registration office until 8 days before the election).

6. ID Number. You must provide your Washington driver's license or state ID card number. If you do not have a Washington driver's license, or state ID card, you must provide the last four digits of your Social Security Number. Failure to provide this information may prevent your registration from being processed.
7. Choice of Party. You are not required to designate your party affiliation to register in Washington.
8. Race or Ethnic Group. Leave blank.
9. Signature. To register in Washington you must:
• be a citizen of the United States
• be a legal resident of Washington State, your county and precinct for 30 days immediately preceding the election in which you want to vote
• be at least 18 years old by election day
• not be convicted of infamous crime, unless restored to civil rights

Mailing address:
Secretary of State
Elections Division
P.O. Box 40229
Olympia, WA 98504-0229

West Virginia

Updated: 09-12-2006

Registration Deadline — 21 days before the election.

6. ID Number. Enter your driver's license number. If you do not have a driver's license number, enter the last four numbers of your social security number. If you do not have a driver's license number or a social security number, an identification number will be assigned to you.
7. Choice of Party. You must register with a party if you want to take part in that party's primary election, caucus, or convention (unless you request the ballot of a party which allows independents to vote)
8. Race or Ethnic Group. Leave blank.
9. Signature. To register in West Virginia you must:
• be a citizen of the United States
• live in West Virginia at the above address
• be 18 years old, or to vote in the primary be 17 years old and turning 18 before the general election
• not be under conviction, probation, or parole for a felony, treason or election bribery
• not have been judged "mentally incompetent" in a court of competent jurisdiction

Mailing address:
Secretary of State
Building 1, Suite 157-K
1900 Kanawha Blvd. East
Charleston, WV 25305-0770

Wisconsin

Updated: 08-05-2013

Registration Deadline —
Postmarked at least twenty days before the election; or completed in the office of the town, village, or city clerk up to 5:00 pm or the close of business whichever is later, on the Friday before the election; or completed at the polling place on Election Day

6. ID Number. Provide your driver license or DOT-issued ID card number. If you do not have a current and valid DOT-issued driver license or ID card, provide the last 4 digits of your social security number
7. Choice of Party. Not required.
8. Race or Ethnic Group. Not required.
9. Signature. To register in Wisconsin you must:
• be a citizen of the United States
• be a resident of Wisconsin and have resided at the registration address for at least 28 days.
• be 18 years old

• not have been convicted of treason, felony or bribery, or if you have, your civil rights have been restored
• not have been found by a court to be incapable of understanding the objective of the electoral process
• not make or benefit from a bet or wage depending on the result of an election
• not have voted at any other location, if registering on election day

Mailing address:
Government Accountability Board
212 East Washington Avenue, Third Floor
P.O. Box 7984
Madison, WI 53707-7984

Wyoming

Updated: 03-01-2006

Wyoming by law, cannot accept this form unless State law is changed.

EXHIBIT 4

Proposal Number: 3.0

ALABAMA BOARD OF REGISTRARS



Board of Registrars Handbook

Prepared for: John Merrill, Secretary of Staff

Prepared by: John Bennett, Assistant to the Chief of State

May 14, 2015

Contributing Board Members:

- Pat Clark, Bibb County
- Carol Hill, Shelby County
- Lynda Hairston, Madison County
- Adonis Bailey, Morgan County
- Patsy Clark, Baldwin County
- Sammy Glover, Covington County
- George Noblin, Montgomery County
- Wilma Cephus, Hale County
- Don Milligan (Board Chair), Marshall County

Proposal Number: 3.0

ALABAMA BOARD OF REGISTRARS

BASIC DEFINITIONS

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, must have a high school diploma or the equivalent, and must posses the minimum computer and map reading skills necessary to function in the office. Members are appointed by a state board of appointment composed of the Governor, the State Auditor, and the Commissioner of Agriculture and Industries.

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). 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 to Alabama. Registrars are authorized to take applications and examine, under oath of affirmation, all applicants and to take testimony concerning applicant's qualifications related to voting. Registrars are authorized to administer the oaths to be taken by applicants.

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 must approve any official action, such as approving individual voter registrations or issuing a denial of an applicant's registration.

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

Proposal Number: 3.0

ALABAMA BOARD OF REGISTRARS

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). A registrar must work a reasonable amount of time and a sufficient number of hours to justify the compensation. The law sets the maximum number of days an individual registrar can work, and a schedule by county is included in the Alabama Elections Handbook, Ch. 16, Pg. 266.

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 notice of the date, time, and location that they will register voters.

Photo Voter ID

Beginning with the June 3, 2014 primary election each Alabama voter is required to have a valid form 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 voter 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-drivers ID card from the Department of Public Safety, 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.

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, and the receipt and processing of provisional ballots after the election.

Voter Lists

The board publishes the list of names to be removed from the voter lists in a 4-year cycle. The list was last published in December 2012, and the next list will be posted December of 2016. This list is comprised of 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.

Proposal Number: 3.0

ALABAMA BOARD OF REGISTRARS

REGISTRAR REFERENCE TOOLS & RESOURCES

Websites:
Secretary of State
Alabama Votes

Secretary of State Phone:
1-800-274-VOTE or 334-242-7210

John Merrill, Secretary of State	334-242-7200, Email John Merrill
Barbie Sawyer, Executive Assistant	334-242-7223, Email Barbie Sawyer
Ed Packard, Director of Elections	334-242-4845, Email Ed Packard
Clay Helms, Supervisor of Voter Registration	334-353-7177, Email Clay Helms
Hon. Jean Brown, Chief Legal Advisor	334-242-7202, Email Jean Brown
David Brewer, Chief of Staff	334-242-7207, Email David Brewer
Brent Beal, Attorney	334-353-7857, Email Brent Beal
Will Sutton, Attorney	334-242-4337, Email Will Sutton
Brandon Walters, Election Analyst	334-353-7150, Email Brandon Walters
Deonna Thompson, Elections Specialist	334-242-7212, Email Deonna Thompson
Michael Ciamarra, Elections Analyst	334-353-7903, Email Michael Ciamarra
Thomas Austin, Elections Analyst	334-353-7854, Email Thomas Austin

Secretary of State Links:
Code of Alabama, 1975
Title 17, Code of Alabama, Election Laws.
- Chapter 3, Voter Registration
- Chapter 4, Registration Lists
- Chapter 10, Provisional Voting

Official Attorney General Opinions:
2004-171 - BOR/Supervisor of Voter Registration
2004-124 - BOR/Probate Judge
2004-112 - BOR/Hours of Work
2011-044 - BOR/Compensation-Holidays-Weather
95-00289 - Notary Public
2006-042 - BOR/Citizenship
2009-002 - BOR/Citizenship
2005-106 - BOR/Probate Judge – Mental Health
2005-124 - BOR/Voter Registration Public Records
2014-005 - BOR/Education-Travel-Expenses
2007-092 - BOR/Travel-Expenses-Days Worked
2010-033 - BOR/Travel-Expenses-Overruled 2007-092 to extent of conflict
2010-026 - BOR/Compensation/Expenses/Holidays/Working Days
2011-089 - BOR/Per Diem

Other election resources include the local Judge of Probate and the Federal Election Commission, www.fec.gov, 1-800-424-9530.
Photo Voter ID implementation includes a third party vendor, Police & Sheriffs Press, Inc.
PASP support information is available at 1-800-707-3080, www.pasp365.com
They are available for technical information, equipment, procedures or function, and status of IDs.

Proposal Number: 3.0

ALABAMA BOARD OF REGISTRARS

FREQUENTLY ASKED QUESTIONS

Office Practices:

Q: How many days do we work each year?

A: A full breakdown of county by county information can be found on pg. 266 of the Alabama Election Handbook

Q: What are the qualifications to become a registrar?

A: Pg. 259 of the Alabama Election Handbook

Q: What travel related expenses should be reported for compensation?

A: Pg. 262 paragraph 2 of the Alabama Election Handbook

Voter Registration:

Q: How do you determine if someone is qualified to register/vote?

A: Pg. 39-42 in the Alabama Election Handbook, and again on pg. 102-103, 205-206, 270-274.

Q: How do you determine if someone is unable or disqualified from voting?

A: Pg. 273 of the Alabama Election Handbook offers a direct response to this question, but a more broad interpretation of all of the information involved begins on pg. 270 subsection B.

Q: What is the legal interpretation of moral turpitude?

A: "Conduct that is considered contrary to community standards of justice, honesty, or good morals." A list of some qualifying felonies can be found on page 6 and 7 of this document.

Q: What felonies qualify as involving moral turpitude?

A: A chart of the felonies that meet this qualification can be found on pages 6 and 7 of this document. A broad response to this question can be found on pg. 275 of the Alabama Election Handbook.

Q: How do we confirm that someone has died and should be removed from the list?

A: *The Secretary of State's office will supply this information to each county registrars office.*

Q: What happens if a judge declares someone "mentally incompetent"?

A: Pg. 273 of the Alabama Election Handbook.

Proposal Number: 3.0

ALABAMA BOARD OF REGISTRARS

ELECTION DAY PROCEDURES

Ballots and Poll Lists

Regular Ballot Voted When:

- Name appears on poll list with no abbreviations.
- 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. The poll worker must not write the name of the voter on the poll list. The update form is the official record that the person voted!

Provisional Ballot Voted When:

- Voter is not on poll list because they moved within the county but did not update before the 14 day cut-off.
- Voter has no valid photo voter 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.

Deceased Voters:

If a deceased person is identified on a poll list by a family member or close neighbor, this person may put the deceased person's name on an "Update Form," give any information they have on the person, write "Deceased" and sign the form. This will authorize the BOR to remove the person's record from any future voting lists.

Proposal Number: 3.0

ALABAMA BOARD OF REGISTRARS

POST-ELECTION ACTIVITIES

Week One

1. Review provisional ballots and mark if counted or not (do this day after election).
    - Update voter information from update forms as you go through each one (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.

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

    - After that, create a list of names from ES&S of 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.

2. 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.

3. Post voter credit manually from "Verification" forms that you have verified on back of the form that the registrant should vote a regular ballot. There 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.
4. For a challenged voter, send notice to the voter of the challenge and explain how the voter may respond to the challenge.

5. After 4:30 pm on the Friday after the election, begin review of absentee provisional ballots as well as any ballots made provisional 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 that only one method of voting shows a "Y" (yes). Update Voting History must be run 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 Judge after final report is run.

10. ~~Write letters to any registrants that Inspector challenges to inform if vote counted or not.~~

11. Update forms turned in that are not transfers can be done (as time permits) before canvassing. They must be scanned and taped to card-stock before or after entering to aid in filing. All voter registration forms (VRF's) turned in after the cut-off date should be done following canvassing due to transfers.

Week Two

1. Tuesday NOON – Final results must be turned in to the Canvassing Board. Turn in PB3s and PB4s as well as a copy of final report.

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

Proposal Number: 3.0

CRIMES INVOLVING MORAL TURPITUDE

Crimes Involving Moral Turpitude	Crimes NOT Involving Moral Turpitude
Fraud: • Making false representation • Knowledge of such false representation by the perpetrator • Reliance on the representation by the person defrauded • An intent to defraud • The actual act of committing fraud Evil Intent: • Arson • Blackmail • Burglary • Embezzlement • Extortion • False pretenses • Forgery • Fraud • Larceny (grand or petty) • Malicious destruction of property • Knowingly receiving stolen goods • Robbery • Theft (when it involves the intention of permanent taking) • Transporting stolen property (with guilty knowledge)	• Damaging private property (where intent to damage not required) • Breaking and entering (requiring no specific or implicit intent to commit a crime involving moral turpitude) • Passing bad checks (where intent to defraud not required) • Possessing stolen property (if guilty knowledge is not essential) • Joy riding (where the intention to take permanently not required) • Juvenile delinquency • Trespassing
• Bribery • Counterfeiting • Fraud against revenue or other government functions • Mail fraud • Perjury • Harboring a fugitive from justice (with guilty knowledge) • Tax evasion (willful)	• Black market violations • Breach of the peace • Carrying a concealed weapon • Desertion from the Armed Forces • Disorderly conduct • Drunk or reckless driving • Driving while license suspended or revoked • Drunkenness • Escape from prison • Failure to report for military induction • False statements (not amounting to perjury or involving fraud) • Firearm violations • Gambling violations • Immigration violations • Liquor violations • Loan sharking • Lottery violations • Minor traffic violations • possessing burglar tools (without intent to commit burglary) • Smuggling and customs violations (where intent to commit fraud is absent) • Tax evasion (without intent to defraud) • Vagrancy

Proposal Number: 3.0

Crimes Involving Moral Turpitude	Crimes NOT Involving Moral Turpitude
• Abandonment of a minor child • Adultery** • Assault (two categories which involve moral turpitude): - Assault with intent to kill, commit rape, commit robbery, or commit serious harm - Assault with a dangerous or deadly weapon • Bigamy • Paternity fraud • Contributing to the delinquency of a minor • Gross indecency • Incest (if the result of an improper sexual relationship) • Kidnapping • Lewdness (behavior that is morally impure in a sexual sense) • Manslaughter: - Voluntary - Involuntary • Mayhem • Murder • Pandering • Prostitution • Rape (including "statuatory rape" by virtue of the victim's age)	• Assault (simple) (any assault which does not require an evil intent or depraved motive, although it may involve the use of a weapon, which is neither dangerous nor deadly) • Bastardy (the offense of begetting a bastard child) • Creating or maintaining a nuisance (where knowledge that premises were used for prostitution is not necessary) • Incest (when a result of marital status prohibited by law) • Involuntary manslaughter (when killing is not the result of recklessness) • Libel • Mailing an obscene letter • Mann Act violations (where coercion is not present) • Riot • Suicide (attempted)
• An attempt to commit a crime deemed to involve moral turpitude • Aiding and abetting in the commission of a crime deemed to involve moral turpitude • Being an accessory (before or after the fact) in the commission of a crime deemed to involve moral turpitude • Taking part in a conspiracy (or attempting to take part in a conspiracy) to commit a crime involving moral turpitude where the attempted crime would not itself constitute moral turpitude.	N/A

TEMPLATE LETTERS

The following section includes templates of letters used to inform voters either that there is a problem with their registration status or that they are being temporarily removed from the list due to a felony conviction involving moral turpitude.

Proposal Number: 3.0

BOARD OF REGISTRARS
Frank (Butch) Ellis
Community Service Building
108 West College Street, Suite 100
Columbiana, AL 35051

BOARD MEMBERS
Carol Hill, Chairman
Kristy Brown
Kelli Moore

Heidee Vansant, Chief Clerk
Post Office Box 1642
Columbiana, AL 35051
Phone (205) 669-3913
Fax (205) 669-3986

October 17, 2014
Sam SXXXX
XXX Hill Rd
No Town, AL 35555

Dear Mr. XXX,

We recently received a Voter Registration Application/Update form from you. Review of the application indicates you do not qualify for registration in Shelby County due to the following reason:

- Criminal conviction involving moral turpitude in Houston County, AL:
  - CC0000 001112300 – 1/25/1999 Possession of Forged Instrument 2nd 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. To apply for pardon, please contact The Alabama Board of Pardons and Paroles at (334)242-8700 or (334)242-8730. Additional information is available on their website (www.pardons.state.al.us).

If you have any questions, please call our office.

Sincerely,

Carol Hill, Chairman
Shelby County Board of Registrars

Proposal Number: 3.0

BOARD OF REGISTRARS
Frank (Butch) Ellis
Community Service Building
108 West College Street, Suite 100
Columbiana, AL 35051

BOARD MEMBERS
Carol Hill, Chairman
Angela Beasley
Emily Gravitt

Heidee Vansant, Chief Clerk
Post Office Box 1642
Columbiana, AL 35051
Phone (205) 669-3913
Fax (205) 669-3986

FINAL NOTICE

October 17, 2014

Carol Smith
PO Box XXX
Chelsea, AL 35043

Dear Ms. Smith,

Your Voter Registration form was received in our office on September 15, 2014, 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, our office in Columbiana, or go online to www.shelbyal.com (voter information) to download a form.

Should you have any questions, please do not hesitate to contact our office at 205-669-3913. All voters must be registered 10 days prior to an election in order to vote.

Sincerely,

Carol Hill, Chairman
Shelby County Board of Registrars

SHELBY COUNTY!
The fastest Growing . . . . . .

Proposal Number: 3.0

BOARD OF REGISTRARS
Frank (Butch) Ellis
Community Service Building
108 West College Street, Suite 100
Columbiana, AL 35051

BOARD MEMBERS
Carol Hill, Chairman
Angela Beasley
Emily Gravitt

Heidee Vansant, Chief Clerk
Post Office Box 1642
Columbiana, AL 35051
Phone (205) 669-3913
Fax (205) 669-3986

September 15, 2014

Carol Smith
PO Box XXX
Chelsea, AL 35043

Dear Ms. Smith,

Your Voter Registration form was received in our office on September 15, 2014 with omissions. We have attempted to contact you by phone regarding this as well as by mail. A **completed** voter registration form is required to register. If we do not receive this within 10 days, your application cannot be completed. I am enclosing a copy of your registration form with the areas highlighted that we need you to complete and return to us. Also, it cannot be a faxed copy as we must have your original signature.

Should you have any questions, please do not hesitate to contact our office at 205-669-3913. All voters must be registered 14 days prior to an election in order to vote. Thank you.

Sincerely,

Carol Hill, Chairman
Shelby County Board of Registrars

Proposal Number: 3.0

BOARD OF REGISTRARS
Frank (Butch) Ellis
Community Service Building
108 West College Street, Suite 100
Columbiana, AL 35051

BOARD MEMBERS
Carol Hill, Chairman
Angela Beasley
Emily Gravitt

Heidee Vansant, Chief Clerk
Post Office Box 1642
Columbiana, AL 35051
Phone (205) 669-3913
Fax (205) 669-3986

DENIED NOTICE

October 15, 2014

Carol Smith
PO Box XXX
Chelsea, AL 35043

Dear Ms. Smith,

Your Voter Registration Form was received in our office on September 15, 2014, with omissions. **The State of Alabama requires a completed application in order to register to vote.** Because we have had no response from you since our recent attempts to contact you, we regret to inform you that your application to register/update has been denied. You may submit a new completed form at any time. Forms can be obtained at any county library, license office, our office, or online at www.shelbyal.com.

Should you have any questions, please do not hesitate to contact our office at 205-669-3913.

Sincerely,

Carol Hill, Chairman
Shelby County Registrar

Proposal Number: 3.0

September 03, 2014

Name
Street Address
City, State Zip

Dear Mr. McFarland

Your application for voter registration has been denied for the following reason:

Disqualifying Felony Conviction

If your rights have been restored, please send us a copy of your restoration papers so that we may approve your application. If you believe the Board is in error, please discuss this matter with the Board or you may appeal this decision within 30 days by filing an appeal with the probate judge (§17-3-55). The denial of your application for registration does not prevent you from applying at some future date.

You may call this office at the above number if you have any questions.

Sincerely,

Lynda C. Hairston, Chairman

Nan Guyette, Board Member

Kathy Linden, Board Member

Enclosure

LH/bm

EXHIBIT 5

BOARD OF REGISTRARS HANDBOOK



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Forms: Listed in Order

- 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 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)*.....

Original – October 24, 2014
Amended – June 28, 2017

CONTACT INFORMATION

Websites:

Secretary of State	www.sos.alabama.gov
Alabama Votes	www.alabamavotes.gov

Secretary of State Office:

Secretary of State Phone..... 1-800-274-VOTE or 334-242-7210
John Merrill, Secretary of State..... 334-242-5899, john.merrill@sos.alabama.gov
Cell: 334-328-2787
David Brewer, Chief of Staff..... 334-242-7207, david.brewer@sos.alabama.gov
John C. Bennett, Deputy Chief of Staff/ Director of Communications..... 334-242-4133, john.bennett@sos.alabama.gov
Brent Beal, Attorney..... 334-353-7857, brent.beal@sos.alabama.gov
Clay Helms, Assistant Elections Director/ Supervisor of Voter Registration..... 334-353-7177, clay.helms@sos.alabama.gov
Rachel Jarrett, Assistant to Assistant Election Director... 334-242-7559, rachel.jarrett@sos.alabama.gov
Daniel Dean, Elections Analyst..... 334-353-7150, daniel.dean@sos.alabama.gov
Denine Richey, Elections Analyst..... 334-242-0447, denine.richey@sos.alabama.gov
Ed Packard, Administrator of Elections..... 334-242-4845, ed.packard@sos.alabama.gov
Eugenia Stone, Elections Analyst..... 334-353-7903, eugenia.stone@sos.alabama.gov

Ronnie Morgan, IT Division Director/IT Systems Specialist... 334-242-5811, ronnie.morgan@sos.alabama.gov
Anthony Powell, IT Systems Specialist..... 334-353-1566, anthony.powell@sos.alabama.gov
Adam Alexander, Programmer, Analyst..... 334-242-7536, adam.alexander@sos.alabama.gov

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). 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.

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

VOTE for Alabama

REGISTERING THROUGH ELECTRONIC VOTER REGISTRATION APP

In the App store on your device, enter "voteforalabama" – 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)
- Ballot not mailed or hand-delivered (DELV)
- Challenge of voter upheld (06)
- Check with local registrars' office (07)
- Check with local registrars' office (08)
- Disqualifying felony conviction (FELY)
- I.D. (04)
- Insufficient documentation (DOCU)
- Mentally incompetent in court (MENT)
- Missing ID provided (ID02)
- Mistakenly left off list (RGDT)
- No signature on provisional ballot (SIGN)
- No signatures on roster (NSOR)
- No witness (NOW)
- No/missing identification (NOID)
- Not reg. at time of election (NRTE)
- Not registered in County (01)
- Not registered in State (NOTR)
- Refutes reg. (03)
- Registered in other county (RGOC)
- Status (02)
- Updated to correct precinct (UPDT)
- Voted by absentee (05)
- Voted in wrong district (WDIS)
- Voted in wrong precinct (WPCT)
- 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 – Section13A-6-20
- Assault 2nd Degree – 13A-6-21
- Kidnapping 1st Degree – Section13A-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.

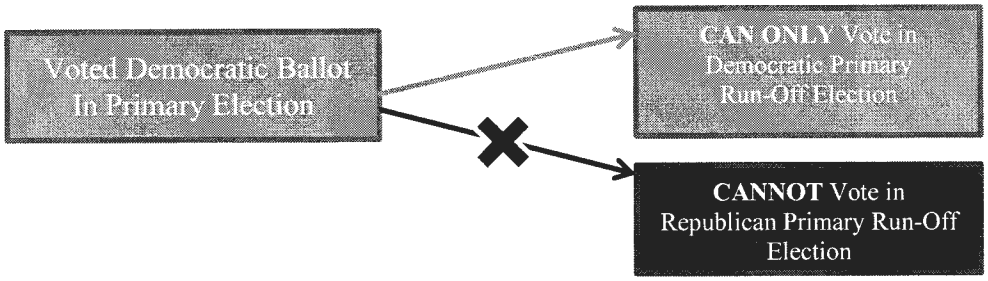
- Should the person submit a letter of pardon or certificate of eligibility at a later date, they should fill out a new voter application. These records, after being entered and scanned, should go on the top of the criminal conviction file for this voter. "Satisfy" their conviction in the computer that matches the pardon. Now the voter's entire record should go into your file for that year's new registrations.

Cross-Over Voting Rules

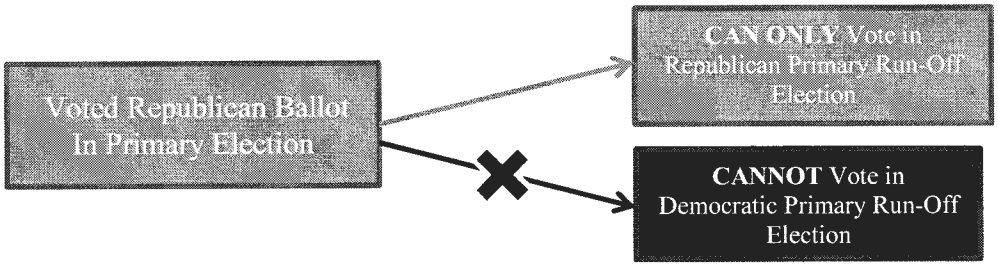
Effective August 1, 2017 per Act #2017-378

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.

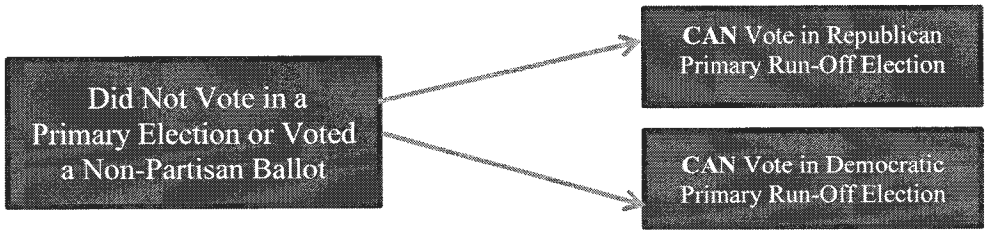
Explanation: If you vote in the Democratic Primary Election, you may only vote in the Democratic Run-off Election. You may not cross over and vote in the Republican Run-Off Election.



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 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: ***ASL1***).
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

Case 2:16-cv-00783-ECM-SMD Document 63-2 Filed 07/21/17 Page 96 of 124

_____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: ☐ Voter has moved outside of precinct ☐ Death of Voter

Last Name	First Name	Middle Name	Suffix

Date of Birth	Date of Death (if deceased)	Gender ☐ Male ☐ Female	Last 4 Digits of SSN	Driver License or ID No.

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. *Code of Alabama, section 17-9-10.*

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 voteforalabama.

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. *(Code of Alabama, section 17-4-8; section 17-4-9)*

( ) 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 (wwww.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 6

COPY

INTERAGENCY AGREEMENT
BETWEEN
ALABAMA SECRETARY OF STATE
AND
AUBURN UNIVERSITY
(PROFESSIONAL CERTIFICATION
FOR MEMBERS OF THE COUNTY BOARDS OF REGISTRARS)

Article I
Purpose and Authority

WHEREAS, this Interagency Agreement is entered into between the Alabama Secretary of State (hereinafter referred to as "SOS"), located at 600 Dexter Avenue, Suite S-105, Montgomery, Alabama 36130 and the Auburn University Department of Political Science (hereinafter referred to as "AU") located at the Department of Political Science, 7080 Haley Center, Auburn University, Alabama 36849; and

WHEREAS, pursuant to Section 17-4-35, Code of Alabama (1975), and without limitation, the SOS has a responsibility to employ a Supervisor of Voter Registration which, among other things, has a duty to serve as a liaison between the SOS and the members of the county Boards of Registrars (Voter Registrars) as well as train, counsel, advise and evaluate Voter Registrars in the performance of their lawful functions; and

WHEREAS, to accomplish the aforesaid, the SOS desires to execute this Interagency Agreement to memorialize and provide for the roles and responsibilities, respectively, of the SOS and AU in their partnership to provide a professional training certification program for Voter Registrars in the State of Alabama; and

WHEREAS, AU, a state agency and public institution of higher learning in the State of Alabama, has the capability, staff and special academic expertise in the design and delivery of professional training certification curricula for election administrators and voter registrars around the country; and

WHEREAS, AU's aforesaid expertise to provide such professional training certification program for Voter Registrars shall enhance, strengthen and aid the SOS in its responsibility to, among other things, train, counsel, advise and evaluate Voter Registrars in the performance of their lawful functions; and

WHEREAS, the SOS, by and through its Agency Legal Counsel/Deputy Attorney General and Chief of Staff, have confirmed with staff of the Contract Review Permanent Legislative Oversight Committee that this Interagency Agreement does not require review by said body; now therefore

The SOS and AU, as agencies of the State of Alabama, set forth the points of this Interagency Agreement as follows:

Article II
Responsibilities of the Parties

For the term of this Interagency Agreement, AU shall:

1. In consultation with the SOS, design and deliver, commencing in June, 2017, in calendar years 2017, 2018, and 2019 a course of study leading to professional training certification for Voter Registrars that will consist of AU courses (Exhibit A hereto) as follows:

    a. Course REG 1001 - Registrar Basics: Role & Functions of the Office;
    b. Course REG 1002 - Registrar Basics: Interagency Cooperation;
    c. Course REG 1003 – Registrar Basics: Processing Voter Applications;
    d. Course REG 2001 - Special Circumstances: Moral Turpitude and Competencies;
    e. Course REG 2002 - Special Circumstances: Proof of Eligibility;
    f. Course REG 2003 - Special Circumstances: Addresses;
    g. Course REG 3001 - Technical Issues: Duplicate Files;
    h. Course REG 3002 - Technical Issues: Provisional Ballots;
    i. Course REG 3003 - Technical Issues: Trouble Shooting.

2. In consultation with the SOS, deliver, each calendar year as set forth herein, professional training certification courses in seven (7) locations around the State of Alabama corresponding to Alabama's Congressional districts.

3. At each of the seven (7) locations each calendar year, deliver three (3) different professional training certification courses with continuing education credit granted to each Voter Registrar successfully completing the required professional certification courses.

4. Provide staff support for site selection, onsite setup (including, but not limited to, ensuring the provision of computers and other technology as required) and delivery.

5. Provide staff support for professional training registration, for all sessions, using contact information provided by the SOS.

6. In consultation and as requested by the SOS, produce and maintain such records as are required by the SOS, including providing a report and attendance roll sheets to the SOS' Supervisor of Voter Registration identifying all attendees for each certification course no later than one (1) week after each training session.

7. In consultation and as requested by the SOS, provide curricular documentation and course materials for each professional training certification course that supports continuing education credit from Auburn University.

8. Provide any information or data requested by the SOS related to the provision by AU of the professional training certification courses.

For the term of this Interagency Agreement, the SOS shall:

1. Provide AU with contact information needed for professional training certification registration activities and follow up for continuing education credit.

Article III
Funding and Payment of Expenditures

1. The funding and payment of expenditures are set forth in Exhibit B to this Interagency Agreement.

2. Consistent with Exhibit B hereto and as set forth hereinbelow, for the term of this Interagency Agreement the SOS shall pay to AU for services rendered as follows:

    a. For calendar year 2017, a sum not to exceed $68,358.19;
    b. For calendar year 2018, a sum not to exceed $79,716.46;
    c. For calendar year 2019, a sum not to exceed $80,501.63.

3. AU shall invoice the SOS at the conclusion of each calendar year quarter (March 31, June 30, September 30, December 31 as applicable) during the term of this Interagency Agreement at which the SOS shall pay over to AU the monthly invoiced costs consistent with the above calendar year allotments; however, in no case shall the total costs for this Interagency Agreement exceed $228,576.28 as paid by the SOS to AU. All invoices shall be submitted by AU to the SOS's Supervisor of Voter Registration.

Article IV
Additional Provisions

A. This Interagency Agreement shall commence May 1, 2017, shall expire December 31, 2019, and may be amended in writing by the mutual consent of the SOS and AU. AU is required and shall commence the first course to the Voter Registrars in June, 2017.

B. The SOS or AU shall have the right to terminate this Interagency Agreement, with or without cause or reason, by giving one hundred and twenty (120) days written notice to the other party.

C. The individuals whose signatures appear below represent that they are authorized to enter into this Interagency Agreement on behalf of the SOS and AU.

D. This Interagency Agreement constitutes the entire agreement between the SOS and AU, and supersedes all prior discussions, negotiations and agreements between the SOS and AU, whether oral or written. Neither the SOS or AU shall be bound by any

understanding, agreement, promise, or representation, expressed or implied, not specified herein.

IN WITNESS WHEREOF, the parties acknowledge this Interagency Agreement is evidenced by their signatures hereinbelow.

AUBURN UNVERSITY DEPARTMENT OF POLITICAL SCIENCE (AU)

Gene Taylor

By: John Mason, Vice President for Research and Economic Development
Date: 3/16/17

ALABAMA SECRETARY OF STATE (SOS)

John H. Merrill

By: Secretary of State John H. Merrill
Date: March 27, 2017

EXHIBIT A

Alabama Secretary of State- Registrar Training Training Series Course Description
(rev. 2/9/17)

Course #	Course Description
REG 1001	Registrar Basics: Role & Functions of the Office This course explores the role and functions of the Registrar, including: organization of the office; legal requirements; deadlines; and other mandates.
REG 1002	Registrar Basics: Interagency Cooperation In this course, participants will cover interactions with the Secretary of State and working with the other parts of the Alabama election system. These will include working with local offices such as the Probate Judge and Circuit Clerk, the postal service, as well as all of the other agencies related to registration and voting.
REG 1003	Registrar Basics: Processing Voter Applications This course will cover details about processing voter applications, including electronic applications, incomplete applications, system capabilities and reporting, coding for missing driver's license, etc.
REG 2001	Special Circumstances: Moral Turpitude & Competences In this course, participants will learn how to process and classify applications where questions of moral turpitude or mental incompetence exist.
REG 2002	Special Circumstances: Proof of Eligibility This course covers special questions concerning eligibility and appropriate documentation when issues arise around photo identification, driver's licenses, and I9.
REG 2003	Special Circumstances: Addresses This course explores issues that arise when addresses change or may be unclear. This will include frequent movers, homeless persons, business addresses, university addresses, street files, and military and overseas voters.
REG 3001	Technical Issues: Duplicate Files In this course, participants will explore and work with appropriate processes for managing duplicate files, including verification and matching due to lack of social security number, driver's license, maiden names, and agency matches (DHR, Medicaid, DMV), and communicating with border states.
REG 3002	Technical Issues: Provisional Ballots This course covers the registrar's role in verifying the registration status of voters who cast provisional ballots and the issues that arise in these circumstances.
REG 3003	Technical Issues: Trouble Shooting This course synthesizes information gathered from participants in previous courses and address common problems and solutions in the registration system.

Alabama Secretary of State (SOS) Voter Registrar Training Budget (through Auburn University Political Science) Version March 14, 2017

	Year 1	Year 2	Year 3	Narrative
Direct Instruction	28000	28000	28000	$2,000 per class grouping per instructor x 2 instructors per class x 7 sessions
Course Development	6000	6000	6000	$2,000 per class group at 3 per year
Travel	5903.07	5903.07	5903.07	$75 per day x 3 days per class grouping x 3 (2 instructors + 1 staff) x 7 sessions + mileage*)
Project Oversight	1073.44	1073.44	1073.44	Time for Brown & Hale to work with SOS staff and provide program specialist supervision
Materials	3500	3500	3500	$500 per class grouping x 7 sessions
Facilities	4200	4200	4200	Based on assumption of space rental at $300 per day x 2 days x 7 sessions
Program Specialist	13467.3	23793	24506.79	$35,000 base salary x 32% fringe X .50 FTE with 3% annual increase; note year 1 figure is adjusted for May 1 - Dec 31 (.583)
Subtotal	62143.81	72469.51	73183.3	
Indirect	6214.381	7246.951	7318.33	10% overhead (administrative/interagency agreement fee)
Annual Total	**68358.191**	**79716.461**	**80501.63**	

3 Year Direct Total	207796.62	
3 Year Indirect Total	20779.662	
3 Year SOS Total	228576.282	**[$228,576.28]**

*Mileage calculated at 1 driver per trip @ .535 with roundtrip mileage as:

	Mileage	Per Mile Cost	
Mobile	448	239.68	
Montgomery	112	59.92	
Birmingham	218	116.63	
Tuscaloosa	316	169.06	
Florence	454	242.89	
Dothan	232	124.12	
Huntsville	422	225.77	
Subtotal		1178.07	Included above at above Travel Section

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Exhibit B

EXHIBIT 7

Alabama Secretary of State

Secretary of State Online Services

Electronic Voter Registration Application

Welcome to the Alabama Electronic Voter Registration Application website.

You may use this application to submit an application for voter registration or to submit an update to your registration information.

For any election, the last day to register to vote or update your voter registration is the 15th day prior to the election.

To submit an application to register to vote, you must meet the following requirements:

- You must be a citizen of the United States.
- You must live in the State of Alabama.
- You must be at least 18 years of age on or before election day.
- You must not be barred from voting by reason of a disqualifying felony conviction.
- You must not have been judged "mentally incompetent" in a court of law.

You will be required to present valid photo identification when you vote at your polling place or by absentee ballot, unless exempted by law.

For questions regarding the requirements listed above and your eligibility, please Contact Us.

Do you currently have a valid Alabama Driver's License or Non-Driver's Identification card?

In addition to the requirements listed above, you must have a valid Alabama Driver's License or valid Alabama Non-Driver's Identification card to submit an Electronic Voter Registration Application.

- If your answer is "yes", you may now begin the application process
- If your answer is "no", please click here to access the form-fillable State of Alabama Mail-In Voter Registration Form
  This form is a PDF that you can fill out on your computer, print, sign, and mail to your Board of Registrars.

To check your voter registration status or view your polling place, you may use our online voter information tool. You may also contact your county Board of Registrars.

Please remember that you are submitting an application for voter registration through this web site.

You are not registered to vote until your County Board of Registrars reviews and approves your application!

This application requires that your browser supports both javascript and cookies. Please make sure that javascript and cookies are enabled in your browser settings.

For security purposes, please close this browser window once you complete the application process.

Begin the Application Process

Alabama Secretary of State

Secretary of State Online Services

Electronic Voter Registration Application

Please verify that you are eligible to use this electronic application by answering the following questions:

- ☐ **I am a citizen of the United States.**
- ☐ **I will be at least 18 years of age on or before the election day**
  If you are currently 17 1/2 years old and would like to register to vote now, you must answer yes to this question. However, you must be 18 years old to vote.
- ☐ **I have a valid driver's license or non-driver's license issued by the State of Alabama**

I'm not a robot reCAPTCHA Privacy - Terms

This captcha tool is a security measure used to ensure that you are an actual person.

Begin Voter Registration Application

P.O. Box 5616 Montgomery, AL 36103-5616 Phone: (334) 242-7200 Fax: (334) 242-4993

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.

EXHIBIT C

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.	)	

DECLARATION OF BRENT BEAL

1. My name is Brent Beal. I am the Alabama Secretary of State's legal advisor.

2. I am familiar with HB 282, which was signed by the Governor as Act No. 2017-378. The Secretary of State developed HB 282 and, along with others, pushed the bill through the Legislature in 2017. HB 282 was the culmination of years of work by the Secretary of State.

3. Secretary Merrill has done numerous media interviews about the new law. We have always intended to hold a press conference and/or signing ceremony for HB 282. Although it has been delayed because of scheduling issues, it is currently scheduled to take place on 2pm on July 27, 2017. The Secretary plans to attend along with various House and Senate members who supported or sponsored the new law.

4. In June of 2017, I and other staff members of the Secretary of State's office attended a meeting about HB 282 with representatives of Legal Services of Alabama and the Alabama chapter of the American Civil Liberties Union. The meeting was requested by the head of Legal Services of Alabama, former Congressman Artur Davis. In that meeting, we discussed our plans to implement the new law. Legal Services and the ACLU asked that we inform the registrars about

the new law and modify the Registrars' Handbook to incorporate the new law, which our office had already done.

5. At that meeting, Congressman Davis also informed us that he and the ACLU intended to publicize the new law and to organize a series of legal clinics around the state to help felons register to vote. I volunteered to assist Legal Services and the ACLU and to attend their events. I attended and spoke at an event in Selma on July 8, 2017. I expect to attend more events in the future.

6. Legal Services and the ACLU are doing a good job publicizing the new law. These groups have prepared helpful guidelines on the new law, which they are distributing at their events. Moreover, unlike the Secretary of State's office, these groups can mobilize teams of volunteer lawyers and activists to help register felons to vote. These groups are also equipped to advise individual felons about their legal rights and, if appropriate, assist them in applying for a certificate of eligibility to vote with the Board of Pardons and Paroles. The six people in the Secretary of State's elections division would never be able to match the efforts of Legal Services and the ACLU.

7. On August 2, 2017, I intend to give two presentations on voting to approximately 200 inmates at the Alabama Therapeutic Education Facility.

8. I agree with Ed Packard and Clay Helms that it would be impracticable, a waste of resources, and likely to cause confusion if the Secretary were to attempt to list 60 felonies on a voter registration form or to mail notice of the new law to previously disqualified felons.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on July 20th, 2017.

Brent Beal

EXHIBIT D

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

TREVA THOMPSON, *et al.*,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	**Case No. 2:16-CV-783-WKW**
	)	
STATE OF ALABAMA, *et al.*,	)	
	)	
Defendants.	)	
	)	

DECLARATION OF PHIL BRYANT

STATE OF ALABAMA	)
	)
COUNTY OF MONTGOMERY	)

Phil Bryant, being duly sworn, deposes and states:

1. My name is Phil Bryant. I am over the age of 19 years old and make this declaration based on my personal knowledge.

2. I have been employed with the Alabama Board of Pardons and Paroles ("the Board" or "the agency") for approximately 27 years. I am currently serving as the Board's Executive Director. As the Executive Director, I am responsible for managing all administrative affairs for the agency.

3. Following the passage of Act 2017-378 (the Felony Voter Disqualification Act), I am specifically responsible for overseeing the implementation of

changes to Alabama law that impact the agency's functions and with which the agency is responsible for complying.

4. As a part of the agency's implementation efforts, I have held numerous internal meetings to develop and replace agency forms and informational materials, as well as to coordinate outreach opportunities across the state with interested groups, such as Legal Services Alabama (LSA) and the American Civil Liberties Union (ACLU). *See* Exhibit A (Draft Alabama Board of Pardons and Paroles Form and Flyer).

5. Further, until content for the agency's webpage could be updated, I removed out-of-date content and replaced the same with a reference and link to Act 2017-378. *See* Exhibit B.

6. Under my leadership, the agency has been in regular communication with the Secretary of State's office about the bill that became Act 2017-378 during the legislative process and its interpretation upon passage. The agency's draft form/flyer, Exhibit A, are currently under review by the Secretary of State's Office, with which the agency will be meeting on July 25, 2017. The purpose of this meeting is to finalize and distribute the agency's forms and flyers as required by law. Agency representatives, including myself, have also participated in a joint meeting with LSA and

ACLU on June 27, 2017 to discuss compliance and policy, to problem solve, and develop education and outreach strategy.

7. Specific outreach events for which the agency has provided or will provide employee participation include:

   a. July 8, 2017, Selma, Alabama (LSA/ACLU sponsored);

   b. August 21, 2017 (Representative Thad McClammy sponsored); and

   c. September 30, 2017, Mobile, Alabama (U.S. Attorney sponsored).

Additional events may be scheduled. All agency employees attending these events as agency representatives on non-work days have received and will receive compensatory time.

FURTHER DECLARANT SAYETH NOT.

Phil Bryant

PHIL BRYANT
EXECUTIVE DIRECTOR

STATE OF ALABAMA)
)
COUNTY OF MONTGOMERY)

SWORN TO AND SUBSCRIBED BEFORE ME on this the 20th day of July, 2017, in Montgomery, Alabama.

Phyllis Hearn Hall
Notary Public for the State of Alabama

My commission expires: 6/19/2021

STATE OF ALABAMA

BOARD OF PARDONS AND PAROLES
Justice Center
301 South Ripley, Building D
P. O. Box 302405
Montgomery, Alabama 36130-2405
(334) 242-8700 FAX: (334) 353-1157
www.paroles.state.al.us

VOTER DISQUALIFICATION

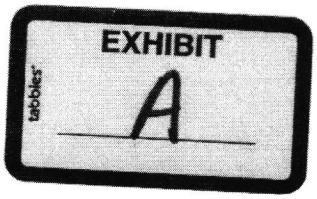
Offender's Information

Date: Date
PR Number: PR Number
Officer Name: Officer
County: County Case Number(s): Cases

Offender Name: Offender
AIS Number: AIS
Field Office: Field Office

Type of Conviction(s)

☐	Murder	☐	Poss/manuf/transport Explosive/detonator/ Poison/explosive/hoax	☐	Aggravated child abuse
☐	Manslaughter	☐	Poss/distribution of hoax destructive device	☐	Prohibited acts in offer/sale/purchase of securities
☐	Assault	☐	Consp. To commit explosives or destructive device	☐	Burglary
☐	Kidnapping	☐	Hindrance /obstruction during detection or disarming of destructive device	☐	Theft of property
☐	Rape	☐	Poss/distribution of destructive devices	☐	Theft of lost property
☐	Sodomy	☐	Treason	☐	Theft of trademarks/trade secrets
☐	Sexual torture	☐	Dissemination /public display of obscene matter (persons under 17)	☐	Robbery
☐	Sexual abuse	☐	Poss/pwid obscene matter (persons under 17)	☐	Forgery
☐	Enticing a child (vehicle)	☐	Production of obscene matter (persons under 17)	☐	Endangering water supply
☐	Attempt to commit an explosives/destruct. Device	☐	Distr./pwid/production of obscene material/agreement to produce and distribute	☐	Poss/man/transport Destructive devices
☐	Human trafficking	☐	Trafficking cannabis/cocaine/illegal drugs/amp/meth	☐	Selling/furn/delivery of destructive devices
☐	Terrorism	☐	Bigamy	☐	Torture/willful mistreatment (person under 18)
☐	Soliciting/supporting an act of terrorism	☐	Incest	☐	Traveling to meet a child for an unlawful sex act
☐	Facilitating solicitation of unlawful sexual conduct with a child	☐	Electronic solicitation of a child	☐	Facilitating the on-line solicitation of a child



☐	Facilitating the travel of a child for an unlawful sex act	☐	Hindering prosecution of terrorism	☐	Parents/guardians permitting children to engage in production of obscene matter
☐	Attempt to commit an explosives/destructive device weapons crime				

Any person convicted of a disqualifying felony loses his or her civil and political rights, which includes the right to vote. Restoration of these rights may be applied for through the Central Montgomery Office of the Board of Pardons and Paroles, but only upon completion of the requirements of Section 15—22—36.1.

Acknowledgment of Receipt

By signing this form, you confirm that you understand the information above and confirm that you have been instructed by your supervising officer regarding the restoration of your civil and political rights.

Offender's Signature _____ Date _____

Officer's Signature _____ Date _____

Process for Applying for Restoration of Voting Rights:

An applicant may apply by one of the following methods:

1) Contacting the local State Probation and Parole Office in the area the applicant lives.

2) Contacting the Board of Pardons and Paroles at (334) 353-7771 and asking to speak with the Pardon Unit Staff.

3) Contacting the Board of Pardons and Paroles in writing at Alabama Board of Pardons and Paroles, PO Box 302405, Montgomery, Alabama 36130

4) Contacting the Board of Pardons and Paroles electronically at http:www.paroles.alabama.gov/contact.aspx and providing the following information:

a) Name under which convicted

b) True name

c) Sex and race

d) Date of birth

e) Social Security Number

f) AIS# (Alabama Prison #), if you have one

g) Current physical address including county

h) Current mailing address if different from physical address

i) Indicate if the conviction was a State or Federal Conviction

j) Home telephone number, including area code

k) Work or alternate telephone number, including area code

l) Complete list of convictions, county of convictions and year of convictions

Eligibility Requirements for a Certificate of Eligibility to Register to Vote:

(1) The person has lost his or her right to vote by reason of conviction in a state or federal court in any case except the following: impeachment, murder, rape in any degree, sodomy in any degree, sexual abuse in any degree, incest, sexual torture, enticing a child to enter a vehicle for immoral purposes, soliciting a child by computer, production of obscene matter involving a minor, production of obscene matter, parents or guardians permitting children to engage in obscene matter, possession of obscene matter, possession with intent to distribute child pornography, or treason.

(2) The person has no criminal felony charges pending against him or her in any state or federal court.

(3) The person has paid all fines, court costs, fees, and victim restitution ordered by the sentencing court at the time of sentencing on disqualifying cases.

(4) Any of the following are true:

a. The person has been released upon completion of sentence.

b. The person has been pardoned.

c. The person has successfully completed probation or parole and has been released from compliance by the ordering entity

STATE OF ALABAMA
BOARD OF PARDONS AND PAROLES

Justice Center
301 South Ripley, Building D
P. O. Box 302405
Montgomery, Alabama 36130-2405
(334) 242-8700 FAX: (334) 353-1157

www.pardons.state.al.us

ARE YOU READY TO VOTE?

YOU MAY QUALIFY FOR A CERTIFICATE OF ELIGIBILITY TO REGISTER TO VOTE IF:

- YOU HAVE ONE OR MORE FELONY CONVICTION(S) FROM ANY STATE OR FEDERAL COURT.
- YOU HAVE NO PENDING CRIMINAL FELONY CHARGES.
- YOU HAVE PAID ALL FINES, COURT ORDERED COSTS, FEES AND RESTITUTION ORDERED AT THE TIME OF SENTENCING ON DISQUALIFYING CASES IN FULL.
- YOUR SENTENCE HAS BEEN COMPLETED.
- YOU HAVE SUCCESSFULLY COMPLETED PROBATION OR PAROLE.

INFORMATION NEEDED:

NAME AT CONVICTION AND TRUE NAME

SEX AND RACE

DATE OF BIRTH

SOCIAL SECURITY NUMBER

AIS# (ALABAMA PRISON #), IF YOU HAVE ONE

CURRENT PHYSICAL ADDRESS INCLUDING COUNTY

CURRENT MAILING ADDRESS IF DIFFERENT FROM PHYSICAL ADDRESS

INDICATE IF THE CONVICTION WAS A STATE OR FEDERAL CONVICTION

PHONE NUMBER, INCLUDING AREA CODE

COMPLETE LIST OF CONVICTIONS, INCLUDING COUNTY AND YEAR.

Prepared in conjunction with the State of Alabama Secretary of State's Office

HOW TO APPLY FOR A CERTIFICATE OF ELIGIBILITY TO REGISTER TO VOTE

1. Apply with a local State Probation and Parole Office.
2. Contact the Pardon Unit: (334)353-7771 or (334)353-8067.
3. Contact the Board of Pardons and Paroles in writing at the address above.
4. Contact the Board of Pardons and Paroles electronically: pardons@paroles.alabama.gov
5. Visit the Board's website for more information.

DRAFT

**INELIGIBLE CONVICTIONS:

MURDER
RAPE (ANY DEGREE)
SODOMY (ANY DEGREE)
SEXUAL ABUSE
INCEST
SEXUAL TORTURE
ENTICING A CHILD TO ENTER A VEHICLE FOR IMMORAL PURPOSES
SOLICITING A CHILD BY COMPUTER
PRODUCTION OF OBSCENE MATTER
PRODUCTION OF OBSCENE MATTER INVOLVING A MINOR
PARENTS OR GUARDIANS PERMITTING CHILDREN TO ENGAGE IN OBSCENE MATTER
POSSESSION OF OBSCENE MATTER
POSSESSION WITH INTENT TO DISTRIBUTE CHILD PORNOGRAPHY
TREASON

You may apply for a Pardon to be considered for the restoration of your Civil and Political Rights for the above convictions.

CONVICTIONS INVOLVING MORAL TURPITUDE:

MURDER
MANSLAUGHTER
ASSAULT
(EXCEPT DRIVING UNDER THE INFLUENCE OF ALCOHOL /CONTROLLED SUBSTANCE)
KIDNAPPING (ANY DEGREE)
RAPE (ANY DEGREE)
SODOMY (ANY DEGREE)
SEXUAL TORTURE
SEXUAL ABUSE (ANY DEGREE)
ENTICING A CHILD TO ENTER A VEHICLE FOR IMMORAL PURPOSES
FACILITATING SOLICATION OF UNLAWFUL SEXUAL CONDUCT WITH A CHILD
ELECTRONIC SOLICITATION OF A CHILD
FACILITATING ON-LINE SOLICITATION OF A CHILD
TRAVELING TO MEET A CHILD FOR AN UNLAWFUL ACT
FACILITATING THE TRAVEL OF A CHILD FOR AN UNLAWFUL SEX ACT
HUMAN TRAFFICKING
TERRORISM
SOLICITING OR PROVIDING SUPPORT FOR AN ACT OF TERRORISM
HINDERING PROSECUTION OF TERRORISM
ENDANGERING THE WATER SUPPLY
POSSESSION, MANUFACTURE, TRANSPORT, OR DISTRIBUTION OF A DESTRUCTIVE DEVICE OR BACTERIOLOGICAL OR BIOLOGICAL WEAPON
SELLING, FURNISHING, GIVING AWAY, DELIVERING, OR DISTRIBUTION OF A DESTRUCTIVE DEVICE, A BACTERIOLOGICAL WEAPON, OR BIOLOGICAL WEAPON TO A PERSON LESS THAN 21 YEARS OF AGE
POSSESSION, MANUFACTURE, TRANSPORT, OR DISTRIBUTION OF A DETONATOR, EXPLOSIVE, POISON, OR HOAX DEVICE
POSSESSION OR DISTRIBUTION OF A HOAX DEVICE REPRESENTED AS A DESTRUCTIVE DEVICE OR WEAPON
ATTEMPT TO COMMIT AN EXPLOSIVE OR DESTRUCTIVE DEVICE OR BACTERIOLOGICAL OR BIOLOGICAL WEAPONS CRIME
CONSPIRACY TO COMMIT AN EXPLOSIVES OR DESTRUCTIVE OR BACTERIOLOGICAL OR BIOLOGICAL WEAPONS CRIME
HINDERANCE OR OBSTRUCTION DURING DETECTION, DISARMING, OR DESTRUCTION OF A DESTRUCTIVE DEVICE OR WEAPON
POSSESSION OR DISTRIBUTION OF A DESTRUCTIVE DEVICE OR WEAPON INTENDED TO CAUSE INJURY OR DESTRUCTION
TREASON
DISSEMINATION OR PUBLIC DISPLAY OF OBSCENE MATTER CONTAINING VISUAL DEPICTION OF PERSONS UNDER 17 YEARS OF AGE INVOLVED IN OBSCENE ACTS
POSSESSION AND POSSESSION WITH INTENT TO DISSEMINATE OBSCENE MATTER CONTAINING VISUAL DEPICTION OF PERSONS UNDER 17 YEARS OF AGE INVOLVED IN OBSCENE ACTS
PARENTS OR GUARDIANS PERMITTING CHILDREN TO ENGAGE IN PRODUCTION OF OBSCENE MATTER
PRODUCTION OF OBSCENE MATTER CONTAINING VISUAL DETICTION OF PERSONS UNDER 17 YEARS OF AGE INVOLVED IN OBSCENE ACTS
DISTRIBUTION, POSSESSION WITH INTENT TO DISTRIBUTE, PRODUCTION OF OBSCENE MATERIAL, OR OFFER OR AGREEMENT TO DISTRIBUTE OR PRODUCE
TRAFFICKING IN CANNABIS, COCAINE, OR OTHER ILLEGAL DRUGS OR TRAFFICKING IN AMPHETAMINE AND METHAMPHETAMINE
BIGAMY
INCEST
TORTURE OR OTHER WILLFUL MALTREATMENT OF A CHILD UNDER THE AGE OF 18
AGGRAVATED CHILD ABUSE
PROHIBITED ACTS IN THE OFFER, SALE, OR PURCHASE OF SECURITIES
BURGLARY (I AND II DEGREES)
THEFT OF PROPERTY (I AND II DEGREES)
THEFT OF LOST PROPERTY (I AND II DEGREES)
THEFT OF TRADEMARKS OR TRADE SECRETS
ROBBERY (ANY DEGREE)
FORGERY (I AND II DEGREES)

Alabama Board of Pardons and Paroles
Pardons and Voter Rights

Pardon Unit

The Pardon Unit is responsible for processing investigations for Voter Rights Restoration, Pardons and Remissions of Fines and Forfeitures.

To make application for one of the above, an applicant may apply by one of the following methods:

1) **Contacting the local State Probation and Parole Office in the area the applicant lives.**
2) **Contacting the Board of Pardons and Paroles by telephone and asking to speak with the Pardon Unit staff.**
3) **Contacting the Board of Pardons and Paroles in writing.**
4) **Contacting the Board of Pardons and Paroles electronically.**

The request should include all of the following information:

a) **Name under which convicted**
b) **True name**
c) **Sex and race**
d) **Date of birth**
e) **Social Security Number**
f) **AIS# (Alabama Prison #), if you have one**
g) **Current physical address including county**

EXHIBIT
tabbies
B

Case 2:16-cv-00783-ECM-SMD Document 63-4 Filed 07/21/17 Page 9 of 10

h) Current mailing address if different from physical address

i) Indicate if the conviction was a State or Federal Conviction

j) Home telephone number, including area code

k) Work or alternate telephone number, including area code

l) Complete list of convictions, county of convictions and year of convictions

NOTE: The applicant should indicate if they are only interested in voting rights or both voting rights and a pardon. If the applicant is interested in a pardon, he/she should indicate if he/she needs a misdemeanor pardoned for purposes of obtaining a license (such as bonding or nursing, etc). If this is not indicated, it will be assumed that the applicant is only interested in having felony convictions pardoned.

Voter Rights

NOTICE: this website is under construction following the passage of Act 2017-378 (Felony Voter Disqualification Act)

Get Adobe Reader Click here to download the Acrobat Reader.

You must have AcrobatReader installed on your PC in order to view the Felony Voter Disqualification Act. There is no charge for Acrobat Reader. When you have finished with viewing the Felony Voter Disqualification Act, use the back arrow at the top of the page to return to this screen.

© 2017 Alabama Board of Pardons and Paroles South Ripley Street - Montgomery, AL. 36130
Phone: 334.353.7771 - 334.353.8067 / Main Fax: 334.353.9400

Case 2:16-cv-00783-ECM-SMD Document 63-4 Filed 07/21/17 Page 10 of 10

EXHIBIT E

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.	)	

DECLARATION OF GEORGE NOBLIN

1. My name is George Noblin. I am the chairman of the Montgomery County Board of Registrars. I am a defendant in my official capacity in the above-captioned lawsuit. The information included in this declaration is based on my personal knowledge and/or my review of the records of the Montgomery County Board of Registrars' office.

2. I am well aware of the new felon-disenfranchisement law.

3. I have been implementing this law.

4. On July 17, 2017, my office permitted an individual convicted of a felony to register to vote. Although this person's felony would have been disqualifying under the old law, it is not under the new law. We called the Secretary of State's office and were advised to follow the new law in advance of the August 1 effective date.

5. We have received other applications from individuals who had been convicted of felonies since House Bill 282 was enacted. But these applications were from individuals whose felonies would have qualified as felonies involving moral turpitude under both the old and the new laws.

The Montgomery County Board of Registrars denied those applications. It did not refer any of those individuals for prosecution.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on July 20, 2017.

George Noblin

EXHIBIT F

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.	)	

DECLARATION OF ANGELIQUE PUGH

1. My name is Angelique Pugh. I am a resident of Lowndes County, Alabama, and I am over 19 years of age.

2. I work in the Computer Services Division at the Office of the Alabama Attorney General.

Website of the ACLU of Alabama

3. On July 14, 2017, I printed and/or saved to pdf the website pages described in ¶ 4. I used Nuance Power PDF Advanced, Version 1.0 - Nuance Communications, Inc. or Adobe Acrobat XI, Version 11.0.18, Adobe Systems Incorporated to do so.

4. The pages attached as **Exhibit 1** to this declaration are taken from the website aclualabama.org.

Website of Legal Services Alabama

5. On July 14, 2017, I printed and/or saved to pdf the website page described in ¶ 6. I used Nuance Power PDF Advanced, Version 1.0 - Nuance Communications, Inc. or Adobe Acrobat XI, Version 11.0.18, Adobe Systems Incorporated to do so.

6. The page attached as **Exhibit 2** to this declaration is taken from the website legalservicesalabama.org.

Screenshots

7. On July 14, 2017, I visited several websites, profiles, and pages. I used the Snipping Tool built into the Windows 7 Operating system to capture and save the items described in ¶¶ 8–14 as .jpg images. I then converted the .jpg images files to .pdf files using Adobe Acrobat XI (Version 11.0.18, Adobe Systems Incorporated). When necessary, I redacted items related to individuals, such as comments and images, from these files using Adobe Acrobat XI.

8. The screenshots attached as **Exhibit 3** to this declaration are taken from the Facebook page for the ACLU of Alabama, https://www.facebook.com/ACLUofAlabama/.

9. The screenshots attached as **Exhibit 4** to this declaration are taken from the Facebook page for Legal Services Alabama, https://www.facebook.com/LegalServicesAlabama/.

10. The screenshots attached as **Exhibit 5** to this declaration are taken from the Twitter page for the ACLU of Alabama.

11. The screenshots attached as **Exhibit 6** to this declaration are taken from the Twitter page for Legal Services Alabama.

12. The screenshots described in ¶¶ 13–14 are from google searches I ran on July 14, 2017. They are attached to this declaration as **Exhibit 7**.

13. I ran a search for "alabama felon" and took a screenshot of the first page of google results.

14. I ran a search for "can felons vote in alabama" and took a screenshot of the first page of google results.

Voter Registration in Other States

15. The documents described in ¶¶ 16–18 are attached as **Exhibit 8** to this declaration

16. On July 14, 2017, I downloaded an application for voter registration from that website from the website of the Georgia Secretary of State, http://sos.ga.gov.

17. On July 14, 2017, I downloaded a voter registration application for Adair Count from the website of the Missouri Secretary of State, http://sos.mo.gov.

18. On July 20, 2017, I downloaded an application for voter registration from that website. from the website of the Nevada Secretary of State, https://www.nvsos.gov.

July 14, 2017 Articles

19. On July 14, 2017, I printed and/or saved to pdf the articles described in ¶¶ 20–21. I used Nuance Power PDF Advanced, Version 1.0 - Nuance Communications, Inc. or Adobe Acrobat XI, Version 11.0.18, Adobe Systems Incorporated to do so. The articles described in ¶¶ 20–21 are attached as **Exhibit 9** to this declaration.

20. I downloaded the article Alabama House Approves List of Crimes Forfeit Voting Rights from U.S. News and World Report: https://www.usnews.com/news/best-states/alabama/articles/2017-03-09/house-lists-crimes-that-forfeit-voting-rights. The website indicates that it was published on March 9, 2017.

21. I downloaded the article New Alabama Law Clarifies "Crimes of Moral Turpitude" from Election Academy, http://editions.lib.umn.edu/electionacademy/2017/05/25/new-alabama-law-clarifies-crimes-of-moral-turpitude/. The website indicates that it was published on May 25, 2017.

22. On July 19, 2017, I printed and/or saved to pdf the articles described in ¶¶ 23–44 and 46–52. I used Nuance Power PDF Advanced, Version 1.0 - Nuance Communications, Inc. or Adobe Acrobat XI, Version 11.0.18, Adobe Systems Incorporated to do so.

23. The articles described in ¶¶ 23–44 are from Alabama news sources and are attached to this declaration as **Exhibit 10**.

24. I downloaded the article *New State law restores voting rights to some convicted felons* from The Tuskeegee News: http://www.thetuskegeenews.com/news/new-state-law-restores-voting-rights-to-some-convicted-felons/article_369b332c-671a-11e7-a749-77fb6ab3078e.html. The website indicates that it was published on July 13, 2017.

25. I downloaded the article *'Restoration clinics' to help felons register to vote under new Alabama law* from Al.com: http://www.al.com/news/index.ssf/2017/07/restoration_clinics_to_help_fe.html. The website indicates that it was published on July 11, 2017.

26. I downloaded the article *Guest editorial: Felons and voting* from WSFA: http://www.wsfa.com/story/35858424/guest-editorial-felons-and-voting. The website indicates that it was published on July 11, 2017.

27. I downloaded the article *State officials, activists at odds over who's responsible for ex-felon vote* from The Anniston Star: https://www.annistonstar.com/news/state-officials-activists-at-odds-over-who-s-responsible-for/article_319cd0cc-65a5-11e7-a3b0-5b3501c42778.html. The website indicates that it was published on July 10, 2017.

28. I downloaded the article *Kenny Glasgow campaigns for restoration of felons' voting rights* from Dothan Eagle: http://www.dothaneagle.com/news/local/kenny-glasgow-campaigns-for-restoration-of-felons-voting-rights/article_2dbf7e7c-637b-11e7-b0da-634e0eb16d95.html. The website indicates that it was published on July 8, 2017.

29. I downloaded the article *New AL law restores convicted felons' right to vote* from WSFA: http://www.wsfa.com/story/35840345/new-al-law-restores-convicted-felons-right-to-vote. The website indicates that it was published on July 8, 2017 and updated on July 10, 2017.

30. I downloaded the article *Voter Restoration Campaign Kicks Off in Selma* from AlabamaNews.net: http://www.alabamanews.net/2017/07/07/voter-restoration-campaign-kicks-off-selma/. The website indicates that it was published on July 7, 2017.

31. I downloaded the article *Voting rights group wants state to notify citizens of restored right to vote* from WIAT 42: http://wiat.com/2017/07/07/voting-rights-group-wants-state-to-notify-citizens-of-restored-right-to-vote/. The website indicates that it was published on July 7, 2017.

32. I downloaded the article *Registering felons to vote in jail: How a new Alabama law impacts voting rights, politics* from Al.com: http://www.al.com/news/index.ssf/2017/06/registering_to_vote_in_jail_ho.html. The website indicates that it was published on June 29, 2017.

33. I downloaded the article *Campaign will help felons learn about voting rights* from Selma Times-Journal: http://www.selmatimesjournal.com/2017/06/24/campaign-will-help-felons-learn-about-voting-rights/. The website indicates that it was published on June 24, 2017.

34. I downloaded the article *New Alabama law more clearly defines which felons can lose their voting rights* from WRBL: http://wrbl.com/2017/06/21/new-alabama-law-more-clearly-defines-which-felons-can-lose-their-voting-rights/. The website indicates that it was published on June 21, 2017.

35. I downloaded the article *Clinics Planned to Help Felons Register to Vote* from Alabama Public Radio: http://apr.org/post/clinics-planned-help-felons-register-vote#stream/0. The website indicates that it was published on June 19, 2017.

36. I downloaded the article *Alabama's newest laws: Bills that passed the Legislature this year* from Al.com:

http://www.al.com/news/birmingham/index.ssf/2017/06/alabamas_newest_laws_bills_tha.html. The website indicates that it was published on June 12, 2017.

37. I downloaded the article *Alabama Law Could Allow More Felons To Vote* from The Birmingham Times: http://www.birminghamtimes.com/2017/06/alabama-law-could-allow-more-people-to-vote/. The website indicates that it was published on June 5, 2017.

38. I downloaded the article *More Alabama Felons May Get To Vote* from Alabama Public Radio: http://apr.org/post/more-alabama-felons-may-get-vote#stream/0. The website indicates that it was published on June 4, 2017.

39. I downloaded the article *Gov. Ivey signs bill restoring 'thousands' of Alabama felons' right to vote* from Al.com: http://www.al.com/news/index.ssf/2017/05/gov_ivey_signs_bill_restoring.html. The website indicates that it was published on May 25, 2017.

40. I downloaded the article *New law restores some felons' right to vote in Alabama* from WIAT 42: http://wiat.com/2017/05/25/new-law-restores-some-felons-right-to-vote-in-alabama/. The website indicates that it was published on May 25, 2017.

41. I downloaded the article *Pastor Kenneth Glasgow cheers passage of bill restoring voting rights for some felons* from Dothan Eagle: http://www.dothaneagle.com/news/government/pastor-kenneth-glasgow-cheers-passage-of-bill-restoring-voting-rights/article_05a67ec8-40c5-11e7-a0e4-e3245e773a90.html. The website indicates that it was published on May 24, 2017.

42. I downloaded the article *New law clears up voting confusion for Alabamians with a felony* from WSFA: http://www.wsfa.com/story/35512463/new-law-clears-up-voting-confusion-for-alabamians-with-a-felony. The website indicates that it was published on May 24, 2017.

43. I downloaded the article *Alabama Legislature approves bill that would restore 'many' felons' voting rights* from Al.com: http://www.al.com/news/index.ssf/2017/05/alabama_legislature_approves_b.html. The website indicates that it was published on May 18, 2017 and updated on May 19, 2017.

44. I downloaded the article *Alabama bill would specify which crimes trigger the removal of voting rights* from Yellowhammer News: http://yellowhammernews.com/politics-2/alabama-bill-specify-crimes-trigger-removal-voting-rights/. The website indicates that it was published on March 9, 2017.

45. The articles described in ¶¶ 46–52 from national news sources and are attached to this declaration as **Exhibit 11**.

46. I downloaded the article *Group Wants Alabama to Educate Voters About New Voting Law* from U.S. News and World Report: https://www.usnews.com/news/best-states/alabama/articles/2017-07-06/center-wants-state-to-educate-voters-about-new-voting-law. The website indicates that it was published on July 6, 2017.

47. I downloaded the article *Suit Seeks to Force Alabama To Inform People About Restored Voting Rights* from Huffington Post: http://www.huffingtonpost.com/entry/alabama-moral-turpitude-voting-rights-felons_us_5957e7c6e4b02734df32c2c2. The website indicates that it was published on July 1, 2017.

48. I downloaded the article *Alabama Won't Help Disenfranchised Citizens Understand If They Can Now Vote* from Huffington Post: http://www.huffingtonpost.com/entry/alabama-moral-turpitude_us_594a8335e4b0177d0b8af45f. The website indicates that it was published on June 21, 2017.

49. I downloaded the article *Legal Aid Groups to Hold Voting Rights Restoration Clinics* from U.S. News and World Report: https://www.usnews.com/news/best-states/alabama/articles/2017-06-18/legal-aid-groups-to-hold-voting-rights-restoration-clinics. The website indicates that it was published on June 18, 2017.

50. I downloaded the article *A Meaningful Move on Voting Rights in Alabama* from The New York Times: https://www.nytimes.com/2017/05/31/opinion/alabama-governor-felons-voting.html. The website indicates that it was published on May 31, 2017.

51. I downloaded the article *Alabama Tweaks White Supremacist Law To Potentially Restore Voting Rights to Thousands* from Huffington Post: http://www.huffingtonpost.com/entry/alabama-felon-voting-right-restoration_us_59286e72e4b0df57cbfb840e. The website indicates that it was published on May 26, 2017.

52. I downloaded the article *Alabama's Republican Governor Just Helped Thousands of Felons Get Their Voting Rights Back* from Mother Jones: http://www.motherjones.com/politics/2017/05/alabama-governor-signs-law-could-restore-voting-rights-thousands-people/. The website indicates that it was published on May 25, 2017.

Videos

53. On July 14, 2017, I downloaded the videos described in ¶¶ 54–55 as MP4 video files, using Mozilla Firefox 54.0.1 (32-bit) along with Mozilla Firefox Add-on, Video DownloadHelper 6.3.1 by mig.

54. I downloaded the video labeled New AL law restores convicted felons' right to vote - WSFA.c.mp4 from http://www.wsfa.com/story/35840345/new-al-law-restores-convicted-felons-right-to-vote. This video is a newsclip about the new-moral turpitude and training about restoration of rights for ex-offenders. It includes an interview with Artur Davis.

55. I downloaded the video labeled Today, Executive Director Artur Davis and ACLU - Legal Services Alabama.mp4 from http://www.wsfa.com/story/35840345/new-al-law-restores-convicted-felons-right-to-vote. This video is a newsclip with an interview with Artur Davis and Randall Marshall about their efforts to educate volunteers to help people convicted of felonies to register to vote and/or have their rights restored.

56. On July 19, 2017, I downloaded the videos described in ¶¶ 57–59 as MP4 video files, using Mozilla Firefox 54.0.1 (32-bit) along with Mozilla Firefox Add-on, Video DownloadHelper 6.3.1 by mig.

57. I downloaded the video labeled July 07, 2017 – WIAT 42_Voting rights group wants state to notify citizens of restor-1.mp4 from http://wiat.com/2017/07/07/voting-rights-group-wants-state-to-notify-citizens-of-restored-right-to-vote/. This video is a newsclip about this case.

58. I downloaded the video labeled June 21, 2017 – WRBL_New Alabama law more clearly defines which felons can lose t-1.mp4 from http://wrbl.com/2017/06/21/new-alabama-law-more-clearly-defines-which-felons-can-lose-their-voting-rights/. This video is a newsclip about the new moral-turpitude law. The man identified as Joe Ripley in that video states that there will be the bill and the list of the disqualifying felonies on wrbl.com.

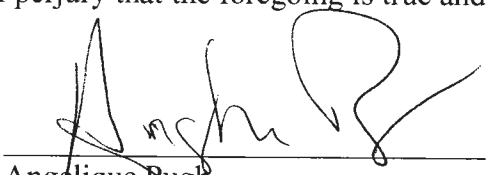
59. I downloaded the video labeled May 25, 2017 – WIAT 42_New law restores some felons right to vote in Alabama.mp4 from http://wiat.com/2017/05/25/new-law-restores-some-felons-right-to-vote-in-alabama/. The video is a newsclip about Governor Ivey's signing the new moral-turpitude law. It includes an interview with a man who states that he previously had his rights restored and states that his felony is not listed on the new law. A man identified as Michael Clark states that the bill and the list of disqualifying felonies will be on wiat.com.

60. On July 20, 2017, I downloaded the video described in ¶ 61 as a MP4 video file, using Mozilla Firefox 54.0.1 (32-bit) along with Mozilla Firefox Add-on, Video DownloadHelper 6.3.1 by mig.

61. I downloaded the video labeled Registering felons to vote in jail How a new Alabama law imp.mp4 from https://www.youtube.com/watch?v=Hhq8jI35R4M. This video is about a man who was convicted of a felony, is currently in jail, and applied to vote under the new moral-turpitude law.

62. On July 20, 2017, I burned the videos described in ¶¶ 54–55, 57–59, and 61 to a DVD attached as **Exhibit 12** to this declaration.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on July 21, 2017.



Angelique Bugh

EXHIBIT 1

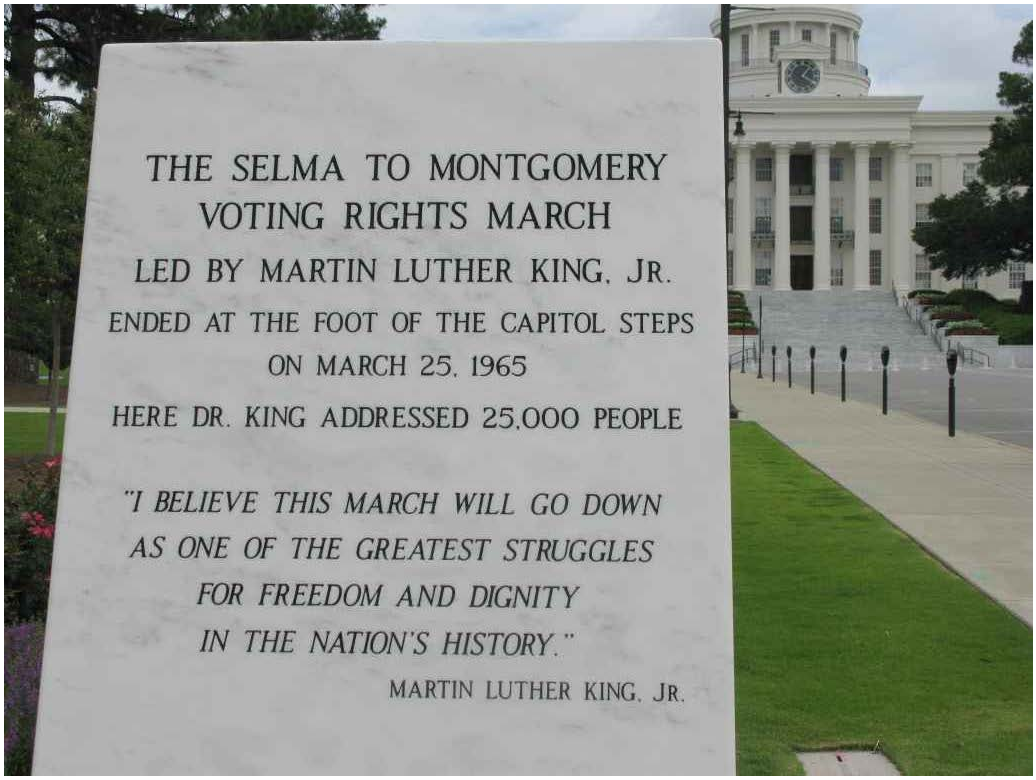
VOTING IS MORE THAN A PRIVILEGE, IT'S A RIGHT



AUTHOR

Rebecca Seung-Bickley — Communications and Development Associate

July 6, 2017



This weekend marks the beginning of a statewide voting rights restoration

campaign that the ACLU of Alabama and Legal Services Alabama are partnering on. Historically, anyone who commits a crime of moral turpitude loses their right to vote in Alabama; however, it has never been clear what specifically was a crime of moral turpitude, which has resulted in inconsistency and confusion across the state.

Now, there is a new law called the Definition of Moral Turpitude Act which changes all of that. This law created a specific list of crimes of moral turpitude so that everyone has the same understanding of who may or may not lose their right to vote. If a person's crime is not on the list, then the person does not lose the right to vote and, once registered, can exercise the right to vote as much or as little as desired. If a person's crime is considered a crime of moral turpitude, it means that they must apply to restore their voting rights through the Board of Pardons & Paroles. The process is the same as before the new law; the only difference is who needs to use the restoration process.

In fact, thanks to this law, there are many Alabamians who were previously disfranchised but will now automatically regain their right to register to vote because their crime is no longer considered a crime of moral turpitude. This is a good thing. When we talk about the importance of protecting our democratic rights, what's more basic than the right to vote in a democracy? It's what sets our government apart from monarchies and dictatorships, where civil liberties like freedoms of speech and press and religion and privacy are often abused if not outright denied. Voting is one way our country maintains a check on those in power, so the more people who can vote, who can make their voices heard, the better.

On Saturday, July 8, we are kicking off this campaign with a one-of-a-kind training that will bring together speakers from the Board of Pardons & Paroles, the Secretary of State, ACLU of Alabama, Legal Services Alabama, and The Ordinary People Society. All of these organizations play a different part in voting rights restoration, so this will be a unique opportunity to get all of them in the same room to explain the process from their perspectives and to ask them questions.

With this campaign, we hope to reach out and educate affected communities so that those who can vote or who can get their vote back know it. After all, both knowledge and voting are power.

Originally published on AL.com



RELATED ISSUES

Voting Rights

RELATED STORIES

Legal Services Alabama and ACLU of Alabama Launch a New Voting Rights...

JUNE 14, 2017

Voting Rights Restoration

JUNE 1, 2017

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ACLU OF ALABAMA IS PART OF A NETWORK OF AFFILIATES

LEARN MORE ABOUT ACLU NATIONAL

This is the website of the American Civil Liberties Union and the ACLU Foundation.

Learn more about these two components of the ACLU.

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ACLU
AMERICAN CIVIL LIBERTIES UNION of ALABAMA

BECAUSE FREEDOM CAN'T PROTECT ITSELF



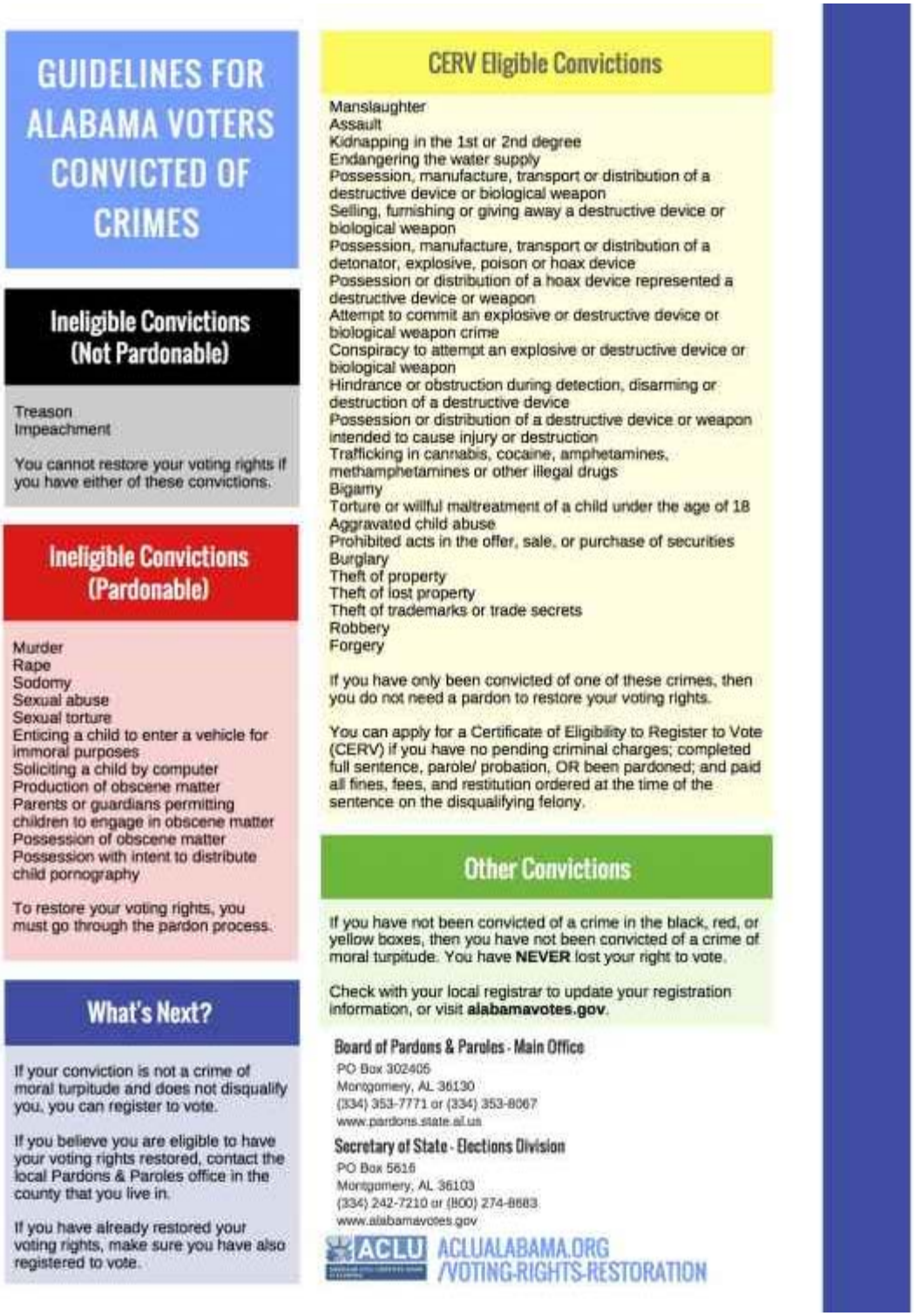


VOTING RIGHTS GRAPHICS

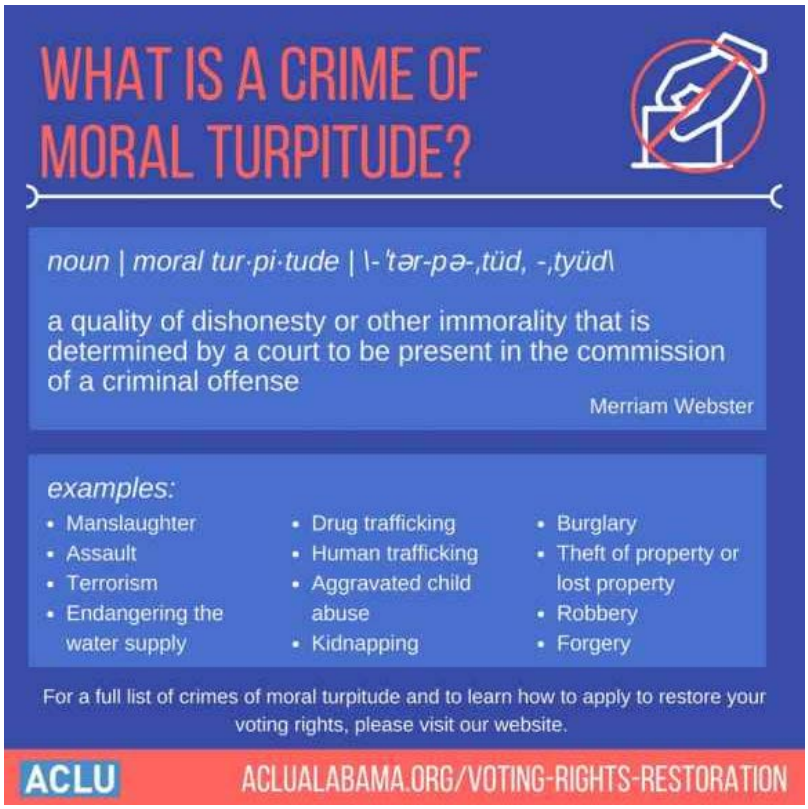
July 7, 2017

These infographics provide some quick facts about voting rights in Alabama and disfranchisement for those with felony convictions. For more detailed information about restoration, please visit the Voting Rights Restoration pages to learn about which crimes need the restoration process and how to apply for restoration.

Guidelines for Alabama Voters Convicted of Crimes



What is a crime of moral turpitude?



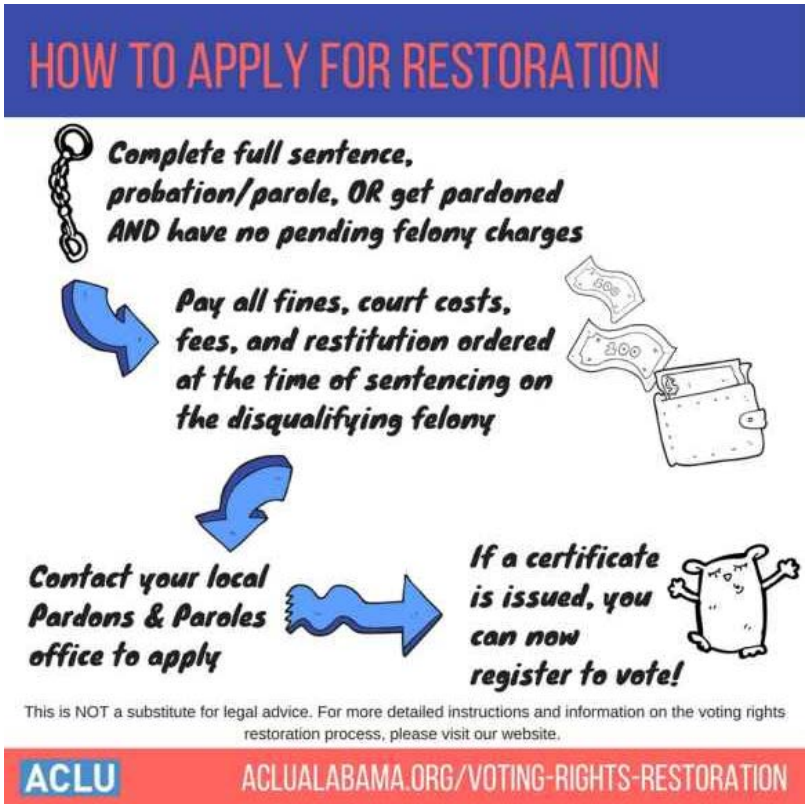
Have you been convicted of a felony?



Who can vote, who can't, and who needs to apply



How to apply for restoration



Alabama IDs for voting (VoteRiders)

Identificaciones para votar en Alabama

ALABAMA
IDs FOR VOTING

Unexpired Photo ID at the polls:

- Driver's license or other ID issued by any state
- AL Voter ID
- Federal government-issued ID including US Passport
- Employee ID issued by US government or any entity of AL
- Student or employee ID from post-high school institution
- Military ID
- Tribal ID

If an eligible voter doesn't have a valid ID and is positively identified by 2 election officials, they can so state in a sworn affidavit, so such voter can vote a regular ballot.

844-338-8743
Info@VoteRiders.org



RELATED ISSUES

Voting Rights

DOCUMENTS

pdf Handout - Guidelines for Alabama Voters Convicted of Crimes

RELATED STORIES

Voting Rights Restoration
JUNE 1, 2017

Crimes of Moral Turpitude
JUNE 7, 2017

STAY INFORMED

ACLU OF ALABAMA IS PART OF A NETWORK OF AFFILIATES

LEARN MORE ABOUT ACLU NATIONAL

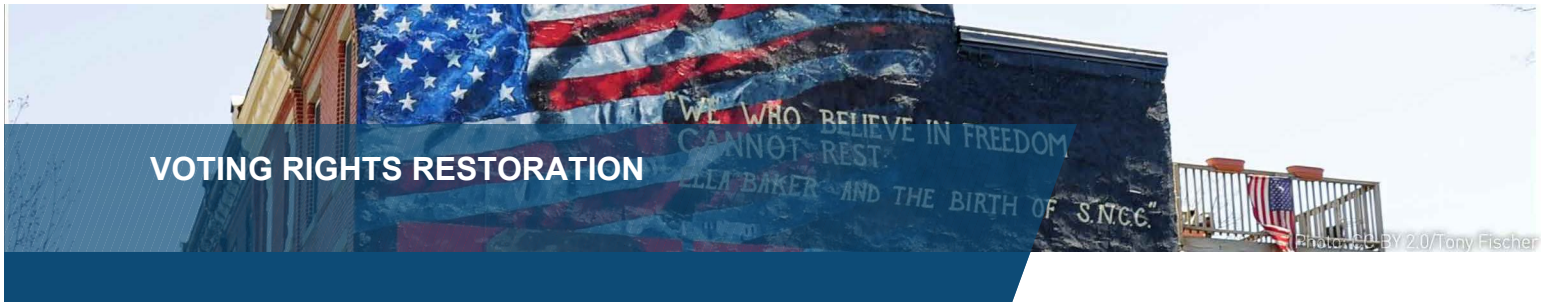
This is the website of the American Civil Liberties Union and the ACLU Foundation.

Learn more about these two components of the ACLU.

© 2017 ACLU of Alabama



BECAUSE FREEDOM CAN'T PROTECT ITSELF



VOTING RIGHTS RESTORATION

Voting is the cornerstone of our democracy. Your vote is your voice so that the needs of your community can be heard and addressed by those in office. This page includes information about the voting rights restoration process, but it is not a substitute for legal advice.

To register to vote, update your registration information for a change of name or address, find your polling place, and learn about voter ID requirements, visit alabamavotes.gov.

Ineligible Convictions

If you have been convicted of one of the following:

- Murder
- Rape
- Sodomy (any degree)
- Sexual abuse (any degree)
- Sexual torture
- Incest
- Parents/guardians permitting children to engage in obscene matter

Production of obscene matter involving a minor
- Production or possession of obscene matter
- Possession with intent to distribute child pornography
- Enticing a child to enter a vehicle for immoral purposes
- Soliciting a child by computer
- Impeachment
- Treason

Then you have an **ineligible conviction**, which are defined in Section 15-22-36. 1 (g). You can only apply to restore your voting rights IF you are granted a full pardon by the Board of Pardons and Paroles. Treason and Impeachment are not pardonable offenses.

Crimes of Moral Turpitude

If you have not been convicted of one of the above and been convicted of a **crime of moral turpitude**, including but not limited to one of the following:

- Theft of property (1st and 2nd degree)
- Burglary (1st and 2nd degree)
- Robbery (1st, 2nd, and 3rd degree)
- Forgery (1st and 2nd degree)

Then you will need to apply to restore your voting rights. This is not a complete list. View the full list of crimes of moral turpitude.

If you have lost your right to vote for a crime that was deemed a crime of moral turpitude at the time but is not on the list passed by the Definition of Moral Turpitude Act, then you do NOT need to apply to restore your voting rights. However, you must re-register with your local registrar office or online at alabamavotes.gov.

Learn how to apply to restore your voting rights.

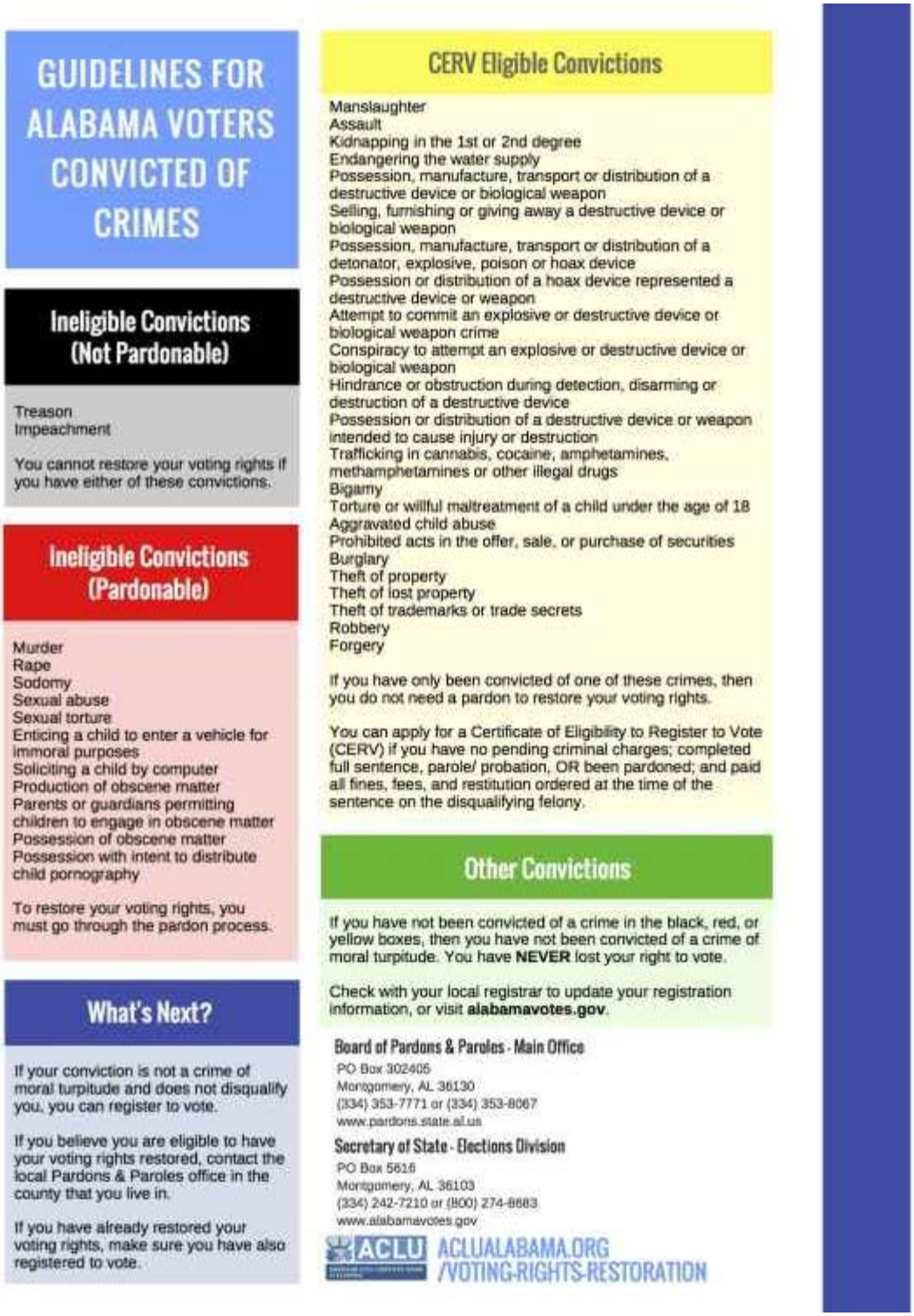
Other Convictions

If you have not been convicted of a prohibitive felony or a crime of moral turpitude, or if you were determined to be a youthful offender at the time of your conviction, then you have NEVER lost your voting rights. That includes but is not limited to convictions for the following:

- Misdemeanors
- Felony DUIs
- Driving while suspended
- Possession of a controlled substance for personal use
- Possession of marijuana for personal use
- Fraudulent use of a credit card
- Receiving stolen property
- Domestic violence
- Attempted murder
- Obstructing justice with a false identity
- Indecent exposure

If you are currently incarcerated for one of these offenses, you can still vote. See the Sheriff or Warden to obtain a voter registration card or an absentee ballot.

Downloadable resources:
Voting Rights Graphics
Handout - Guidelines for Alabama Voters Convicted of Crimes



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Based on the Alabama Constitution, people who commit crimes of moral turpitude lose their right to vote. Some may be eligible to restore their voting rights. ACLU of Alabama and Legal Services Alabama are teaming up to provide clinics across the state to help people who have felony convictions navigate this process in order to restore their voting rights.

For more information about restoration, please refer to the following frequently asked questions:

- What is voting rights restoration and who needs it?
- What crimes are on the list of crimes of moral turpitude?
- How do I apply to restore my voting rights?
- Where is the handout for Guidelines for Alabama Voters Convicted of Crimes?

Upcoming clinic dates:

- July 18, 2017 from 4-7pm at Hale County City Hall, Greensboro
- July 19, 2017 from 4-7pm at Brown Chapel AME Church, Selma
- July 19, 2017 from 4-7pm at Sixth Avenue Baptist Church, Birmingham
- July 22, 2017 from 10am-3pm at Stone Street Baptist Church, Mobile
- July 26, 2017 from 4-7pm at Sixth Avenue Baptist Church, Birmingham
- July 29, 2017 from 10am-3pm at Bethel AME Church, Mobile
- August 2, 2017 from 4-7pm at Sixth Avenue Baptist Church, Birmingham
- August 8, 2017 from 4-7pm at 16th Street Baptist Church, Birmingham

If you are interested in volunteering at one of the clinics, please email info@aclualabama.org.



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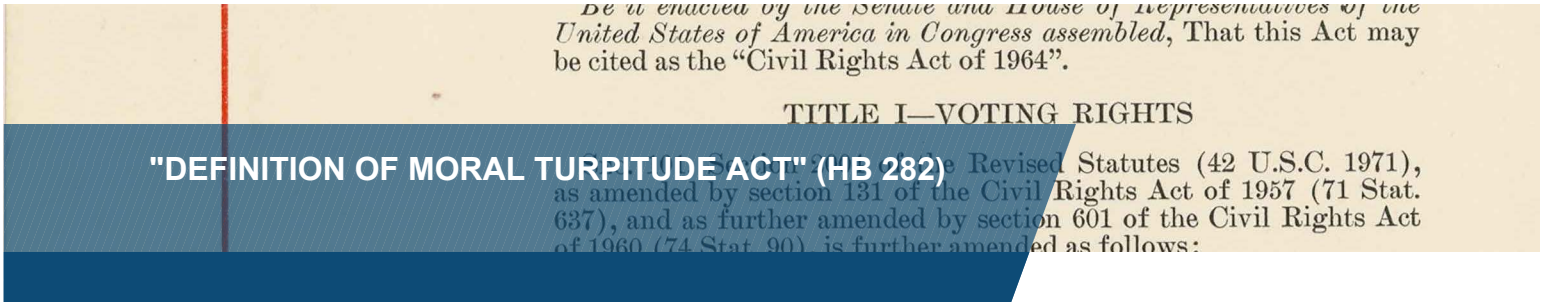
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Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Civil Rights Act of 1964".

TITLE I—VOTING RIGHTS

Revised Statutes (42 U.S.C. 1971), as amended by section 131 of the Civil Rights Act of 1957 (71 Stat. 637), and as further amended by section 601 of the Civil Rights Act of 1960 (74 Stat. 90), is further amended as follows:

"DEFINITION OF MORAL TURPITUDE ACT" (HB 282)

This bill was passed on May 17 and signed on May 25. This new law clearly establishes which felony convictions are considered to be crimes of moral turpitude. These convictions result in the loss of the right to vote; however, individuals with these convictions may be eligible to apply to restore it. Since determining which crimes are of moral turpitude has historically been left to the individual county voter registrars to interpret who can and cannot vote, it has disproportionately affected the African American communities in Alabama. By defining which crimes fall within this category, voting rights can be restored to many whose crimes are not on this list and will not be refused to those who might have been discriminated against in the past.

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2017 ALABAMA LEGISLATIVE REPORT

AUTHORS

Rebecca Seung-Bickley — Communications and Development Associate,
Windy Leavell

June 5, 2017



The 2017 legislative session ended May 19, and to many, it seemed to be among the most contentious of recent years. In addition to the removal of Chief Justice Roy Moore and the resignation of Governor Robert Bentley, there were heated debates over many issues such as the federal court-ordered reapportionment, prison construction, confederate monuments, and a racist joke about monkeys.

Of note, there were several bills introduced that claimed to defend religious

liberty. In fact, they are sanctioning discrimination against the LGBT community and others. There were also several attempts to further restrict reproductive rights. A list of these bills and their statuses are included below. This is not a comprehensive list of all legislation discussed this year.

Religious Liberty

PASS - HB 24, the "Child Placing Agency Inclusion Act," was passed and signed into law on May 3. It allows religious adoption agencies to refuse child placement to families who do not share their religious beliefs. While this will most likely discriminate against same-sex couples, there is a possibility that a religious agency could refuse an interfaith or non-religious couple, single parents, or even a couple with one parent who was previously divorced.

The ACLU of Alabama is interested in talking with people adversely affected by this new law, particularly children who are being denied placement in willing homes because of the law.

FAIL - SB 193, the Briarwood Presbyterian Church bill, passed the Senate on April 11 but did not come to the floor for a vote in the House. This bill would have authorized a separate police force for the church, which would have vested state powers in a religious body and violated the Establishment Clause of the Constitution. Even though this version failed to pass, it did not lack support, and we expect to see a similar effort next year. We will continue to fight against legislation like this that threatens the separation of church and state. We are interested in talking with anyone who would be adversely affected by the creation of a police force at Briarwood.

FAIL - SB 139, the Ten Commandments bill, passed the Senate on May 11 but did not make it out of committee in the House. This bill would have proposed an amendment to the Alabama Constitution to permit the display of the Ten Commandments on state property and in public schools.

Reproductive Rights

PASS - HB 95, the "Alabama Health Care Rights of Conscience Act," was passed and signed into law on April 27. With this new law, healthcare providers are exempted from performing certain services related to abortion, sterilization, stem cell research, and cloning based on their religious or ethical beliefs. The bill stipulates an exception for emergencies, but it still allows for discriminatory behavior such as pharmacists who refuse to sell certain contraceptives and doctors who refuse to treat a patient who has had an abortion.

PASS - HB 98, the "Right to Life" Amendment, was passed on April 25 and will be on the statewide ballot on November 6, 2018. This is a legislatively referred constitutional amendment that will "declare and otherwise affirm that it is the public policy of the state to recognize and support the sanctity of 'unborn life' and the rights of 'unborn children,' including the right to life." This bill is largely symbolic as abortion rights are protected federally by *Roe v. Wade*, but should that ever be overturned by the Supreme Court, then abortion access could be denied to Alabamians.

FAIL - HB 131, the "Alabama Ultrasound Access Act," did not make it out of committee in the House. This bill would have required abortion providers to perform an ultrasound for pregnant patients seeking an abortion and disclose their income received from performing abortions for the previous year. The ACLU of Alabama would have challenged this law had it passed.

FAIL - HB 154, the "Fetal Heartbeat Act," did not make it out of committee in the House. This bill would have prohibited healthcare providers from performing abortions after a heartbeat could be detected, with penalties including revoking the medical license of the physician. The ACLU of Alabama would have challenged this law had it passed.

Criminal Justice

PASS - SB 187, the "Fair Justice Act," was passed May 16 and signed on May 18. This new law reduces the appeals time in capital cases by requiring

convicted persons to file post-conviction claims at the same time as appeals. These cases deal with death row inmates facing lethal injection, so speeding up the process is likely to lead to wrongfully convicted individuals being executed before they can provide evidence of their innocence.

PASS - SB 16, the judicial override bill, was passed April 4 and signed on April 11. This new law prevents judges from overriding the will of the community by imposing the death penalty when a jury has recommended life imprisonment. While we applaud this change, Alabama is still the only state that does not require a unanimous jury for the death penalty.

PASS - HB 282, the "Definition of Moral Turpitude Act," was passed on May 17 and signed on May 25. This new law clearly establishes which felony convictions are considered to be crimes of moral turpitude. These convictions result in the loss of the right to vote; however, individuals with these convictions may be eligible to apply to restore it. Since determining which crimes are of moral turpitude has historically been left to the individual county voter registrars to interpret who can and cannot vote, it has disproportionately affected the African American communities in Alabama. By defining which crimes fall within this category, voting rights can be restored to many whose crimes are not on this list and will not be refused to those who might have been discriminated against in the past.

The proposal to construct new prisons to replace the overcrowded, poorly maintained prison system was not addressed. There is likely to be a special session later this year on this subject, and we will continue to provide legislative updates if there is. Check back for that and more, as next year's regular session will begin in January 2018.

Thanks to our partners and lobbyists working in the legislature to bring justice to Alabama, and to everyone who called, wrote, and emailed your representatives. Your voices make a difference.

"It is easier to **resist** at the beginning than at the end." -- Leonardo da Vinci

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CRIMES OF MORAL TURPITUDE

If you have been convicted of a crime of moral turpitude that is not an ineligible conviction, then you must apply to the Board of Pardons and Paroles to restore your voting rights. This page includes information about the voting rights restoration process, but it is not a substitute for legal advice.

Learn how to apply to restore your voting rights.

HB 282, the Definition of Moral Turpitude Act, was signed by Gov. Ivey on May 25, 2017. This new law defines that the following crimes are crimes of moral turpitude. The law goes into effect on August 1, 2017.

(1) Murder as defined in the following sections:
a. Subdivision (1) of subsection (a) of Section 13A-5-40.
b. Subdivision (2) of subsection (a) of Section 13A-5-40.
c. Subdivision (3) of subsection (a) of Section 13A-5-40.
d. Subdivision (4) of subsection (a) of Section 13A-5-40.
e. Subdivision (5) of subsection (a) of Section 13A-5-40.
f. Subdivision (6) of subsection (a) of Section 13A-5-40.
g. Subdivision (7) of subsection (a) of Section 13A-5-40.
h. Subdivision (8) of subsection (a) of Section 13A-5-40.
i. Subdivision (9) of subsection (a) of Section 13A-5-40.

j. Subdivision (10) of subsection (a) of Section 13A-5-40.
k. Subdivision (11) of subsection (a) of Section 13A-5-40.
l. Subdivision (12) of subsection (a) of Section 13A-5-40.
m. Subdivision (13) of subsection (a) of Section 13A-5-40.
n. Subdivision (14) of subsection (a) of Section 13A-5-40.
o. Subdivision (15) of subsection (a) of Section 13A-5-40.
p. Subdivision (16) of subsection (a) of Section 13A-5-40.
q. Subdivision (17) of subsection (a) of Section 13A-5-40.
r. Subdivision (18) of subsection (a) of Section 13A-5-40.
s. Subdivision (19) of subsection (a) of Section 13A-5-40.
t. Section 13A-6-2.

(2) Manslaughter as defined in Section 13A-6-3.

(3) Assault as defined in Section 13A-6-20, except for subdivision (5) of subsection (a) of Section 13A-6-20, and Section 13A-6-21.

(4) Kidnapping in the first degree as defined in Section 13A-6-43.

(5) Kidnapping in the second degree as defined in Section 13A-6-44.

(6) Rape as defined in Sections 13A-6-61 and 13A-6-62.

(7) Sodomy as defined in Sections 13A-6-63 and 13A-6-64.

(8) Sexual torture as defined in Section 13A-6-65.1.

(9) Sexual abuse as defined in Sections 13A-6-66, 13A-6-67, and 13A-6-69.1.

(10) Enticing a child to enter a vehicle for immoral purposes as defined in Section 13A-6-69.

(11) Soliciting a child by computer as defined in Section 13A-6-110.

(12) Human trafficking as defined in Sections 13A-6-152 and 13A-6-153.

(13) Terrorism as defined in Section 13A-10-152.

(14) Soliciting or providing support for an act of terrorism as defined in Section 13A-10-153.

(15) Hindering prosecution of terrorism as defined in Section 13A-10-154.

(16) Endangering the water supply as defined in Section 13A-10-171.

(17) Possession, manufacture, transport, or distribution of a destructive device or bacteriological or biological weapon as defined in Section 13A-10-193.

(18) 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 as defined in Section 13A-10-194.

(19) Possession, manufacture, transport, or distribution of a detonator, explosive, poison, or hoax device as defined in Section 13A-10-195.

(20) Possession or distribution of a hoax device represented as a destructive device or weapon as defined in subsection (c) of Section 13A-10-196.

(21) Attempt to commit an explosives or destructive device or bacteriological or biological weapons crime as defined in Section 13A-10-197.

(22) Conspiracy to commit an explosives or destructive device or bacteriological or biological weapons crime as defined in Section 13A-10-198.

(23) Hindrance or obstruction during detection, disarming, or destruction of a destructive device or weapon as defined in Section 13A-10-199.

(24) Possession or distribution of a destructive device or weapon intended to cause injury or destruction as defined in Section 13A-10-200.

(25) Treason as defined in Section 13A-11-2.

(26) Dissemination or public display of obscene matter containing visual depiction of persons under 17 years of age involved in obscene acts as defined in Section 13A-12-191.

(27) Possession and possession with intent to disseminate obscene matter containing visual depiction of persons under 17 years of age involved in obscene acts as defined in Section 13A-12-192.

(28) Parents or guardians permitting children to engage in production of obscene matter as defined in Section 13A-12-196.

(29) Production of obscene matter containing visual depiction of persons under 17 years of age involved in obscene acts as defined in Section 13A-12-197.

(30) Distribution, possession with intent to distribute, production of obscene material, or offer or agreement to distribute or produce, as defined in Section 13A-12-200.2.

(31) Trafficking in cannabis, cocaine, or other illegal drugs or trafficking in amphetamine and methamphetamine as defined in Section 13A-12-231.

(32) Bigamy as defined in Section 13A-13-1.

(33) Incest as defined in Section 13A-13-3.

(34) Torture or other willful maltreatment of a child under the age of 18 as defined in Section 26-15-3.

(35) Aggravated child abuse as defined in Section 26-15-3.1.

(36) Prohibited acts in the offer, sale, or purchase of securities as defined in Section 8-6-17.

(37) Burglary as defined in Sections 13A-7-5 and 13A-7-6.

(38) Theft of property as defined in Sections 13A-8-3 and 13A-8-4.

(39) Theft of lost property as defined in Sections 13A-8-7 and 13A-8-8.

(40) Theft of trademarks or trade secrets as defined in Section 13A-8-10.4.

(41) Robbery as defined in Sections 13A-8-41, 13A-8-42, and 13A-8-43.

(42) Forgery as defined in Sections 13A-9-2 and 13A-9-3.

(43) 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.

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GUIDELINES FOR ALABAMA VOTERS CONVICTED OF CRIMES

Ineligible Convictions (Not Pardonable)

Treason
Impeachment

You cannot restore your voting rights if you have either of these convictions.

Ineligible Convictions (Pardonable)

Murder
Rape
Sodomy
Sexual abuse
Sexual torture
Enticing a child to enter a vehicle for immoral purposes
Soliciting a child by computer
Production of obscene matter
Parents or guardians permitting children to engage in obscene matter
Possession of obscene matter
Possession with intent to distribute child pornography

To restore your voting rights, you must go through the pardon process.

What's Next?

If your conviction is not a crime of moral turpitude and does not disqualify you, you can register to vote.

If you believe you are eligible to have your voting rights restored, contact the local Pardons & Paroles office in the county that you live in.

If you have already restored your voting rights, make sure you have also registered to vote.

CERV Eligible Convictions

Manslaughter
Assault
Kidnapping in the 1st or 2nd degree
Endangering the water supply
Possession, manufacture, transport or distribution of a destructive device or biological weapon
Selling, furnishing or giving away a destructive device or biological weapon
Possession, manufacture, transport or distribution of a detonator, explosive, poison or hoax device
Possession or distribution of a hoax device represented a destructive device or weapon
Attempt to commit an explosive or destructive device or biological weapon crime
Conspiracy to attempt an explosive or destructive device or biological weapon
Hindrance or obstruction during detection, disarming or destruction of a destructive device
Possession or distribution of a destructive device or weapon intended to cause injury or destruction
Trafficking in cannabis, cocaine, amphetamines, methamphetamines or other illegal drugs
Bigamy
Torture or willful maltreatment of a child under the age of 18
Aggravated child abuse
Prohibited acts in the offer, sale, or purchase of securities
Burglary
Theft of property
Theft of lost property
Theft of trademarks or trade secrets
Robbery
Forgery

If you have only been convicted of one of these crimes, then you do not need a pardon to restore your voting rights.

You can apply for a Certificate of Eligibility to Register to Vote (CERV) if you have no pending criminal charges; completed full sentence, parole/ probation, OR been pardoned; and paid all fines, fees, and restitution ordered at the time of the sentence on the disqualifying felony.

Other Convictions

If you have not been convicted of a crime in the black, red, or yellow boxes, then you have not been convicted of a crime of moral turpitude. You have **NEVER** lost your right to vote.

Check with your local registrar to update your registration information, or visit **alabamavotes.gov**.

Board of Pardons & Paroles - Main Office

PO Box 302405
Montgomery, AL 36130
(334) 353-7771 or (334) 353-8067
www.pardons.state.al.us

Secretary of State - Elections Division

PO Box 5616
Montgomery, AL 36103
(334) 242-7210 or (800) 274-8683
www.alabamavotes.gov

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/VOTING-RIGHTS-RESTORATION

VOTING RIGHTS RESTORATION PROCESS

1. Check criminal history.

If the conviction is not in the black, red, or yellow box, then the applicant has not lost their right to vote. They can register to vote with their local registrar or online at alabamavotes.gov.

All convictions should be checked individually for whether it strips voting rights. It is possible a person with more than one conviction has one felony that leads to loss of voting rights while the other felony does not.

2. Check eligibility.

If the felony conviction is in the yellow box, then the applicant must meet the following conditions: has no pending criminal charges; has paid all fines, fees, and restitution ordered at the time of sentencing on the disqualifying felony (post-conviction fees do not apply, nor do fees owed on felonies in the green box); and has completed either the full sentence, probation/parole, OR been pardoned.

If these conditions are not met, the applicant is not eligible for voting rights restoration at this time. They can apply once they satisfy all conditions.

3. Contact Board of Pardons & Paroles.

If the applicant's criminal history does not include any crimes in the red or black boxes and is determined eligible in Step 2, then contact the local Pardons & Paroles office for the county that they currently live in. They will be asked questions regarding their name, address, birth date, social security number, prison ID number, and conviction history, so the applicant should have all information on hand before calling.

If the applicant's criminal history includes a crime in the red box, they can also contact their local Pardons & Paroles office to learn how to start the pardon process.

4. Wait up to 44 days for a response.

The Board of Pardons & Paroles has a 30 day discovery period followed by a 14 day response window to process voting rights restoration applications. Based on the results of the investigation and a favorable determination by the Board of Pardons & Paroles, a voter rights restoration certificate will be issued. If the application is denied, the Board will provide a reason why.

5. Register to vote.

If an applicant is issued a voter rights restoration certificate, they are now cleared to vote but must still register to vote before election day. Registration deadlines are 15 days before an election. Individuals can register at their local registrar office, at any assistance office such as WIC or Medicaid, at the DMV, at the post office, at the library, through the mail, or online at alabamavotes.gov.

6. Get a voter ID.

In addition to driver's licenses, passports, and government IDs, individuals are able to obtain a free voter ID card at their local registrar office. Prison ID cards are also an accepted form for voter ID.

7. Vote!

Find a polling place and cast a ballot!
Those currently incarcerated with non-disqualifying felonies are also able to vote by absentee ballot. Ask a Sheriff or Warden to obtain one.

8. Get help.

If there are questions or problems with this process, contact the Board of Pardons & Paroles at (334) 353-7771 or (334) 353-8067, Legal Services Alabama at 1-866-456-4995, or the ACLU of Alabama at (334) 265-2754.



HOW TO APPLY FOR VOTING RIGHTS RESTORATION

This page includes information about the voting rights restoration process, but it is not a substitute for legal advice. If you have been convicted of a crime of moral turpitude but not an ineligible conviction, you *may* qualify for voting rights restoration. You must meet the following requirements:

- Have no pending felony charges
- Have paid all fines, court costs, fees, and restitution ordered at the time of sentencing on disqualifying cases in full (post-conviction fees are not included)
- Have completed either the full sentence, probation/parole, OR been pardoned

To apply, you can contact your local state Probation and Parole office in the county where the applicant lives, or you can contact the Board of Pardons and Paroles main office by phone, mail, or email.

The Alabama Board of Pardons and Paroles
PO Box 302405
Montgomery, AL 36130
Phone: (334) 353-7771 or (334) 353-8067
Fax: (334) 353-9400

Email: pardons@paroles.alabama.gov

Once your application is submitted, the Board has a 30 day discovery period and a 14 day response window, so you should receive a response within 45 days. Based on the results of the investigation and a favorable determination by the Board of Pardons and Paroles, a voter right restoration certificate will be issued.

Once your voting rights are restored, you must still register to vote with your local registrar office or online at alabamavotes.gov.

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June 14, 2017

SELMA, Ala. - The fight for voting rights has a storied and painful past here in Alabama. In 1965, when African Americans were effectively denied their constitutional right to vote through violence, threats, poll taxes and literacy tests, activists organized what would become known as the Selma-to-Montgomery marches. The national outcry over law enforcement's use of brutal force to stop the first march, also known as "Bloody Sunday," set the stage for the Voting Rights Act that was passed later that year.

Brown Chapel A.M.E. Church in Selma has been a linchpin in the Civil Rights Movement, as the starting point for the Selma-to-Montgomery marches and a haven for organizers including the Southern Christian Leadership Conference and its leader, Dr. Martin Luther King. Now, Legal Services Alabama and the ACLU of Alabama will return to the scene to once again do the work of restoring the right to vote for a new class of citizens: low income people with non-violent felony convictions who have paid their debt to society and seek re-entry to their communities.

A new Alabama law signed in May will allow thousands of people to restore their right to vote, and on July 8, LSA and ACLU of Alabama will host a training session at Brown Chapel A.M.E. Church to train volunteer lawyers and non-lawyers about this new law, and how Alabamians can comply with its terms to win back their rights to vote.

Historically, Alabama's Constitution stated that individuals convicted of "crimes of moral turpitude" could no longer vote. However, what constitutes a crime of moral turpitude was left to the county registrars to decide, which led to a wide range of interpretations that left thousands of disenfranchised Alabamians, many of them poor and disadvantaged.

This new law brings hope for those who have been unfairly stripped of their right to vote because it finally provides a clear definition of what is and is not a crime of moral turpitude. But the law will require that wrongfully disenfranchised Alabamians formally comply with a process for application with the Board of Pardons and Parole. This partnership of two of Alabama's major public interest law groups has been formed to provide assistance to individuals wishing to follow the law to reclaim their rights.

"The ACLU of Alabama is proud to work with Legal Services Alabama in a campaign to restore voting rights," Randall Marshall, Acting Executive Director of the ACLU of Alabama said. "Felon disenfranchisement laws are vestiges of the Jim Crow era. The fundamental right to vote extends to every American citizen."

As the Executive Director of Legal Services of Alabama, Artur Davis, states, "If we take reentry for ex-offenders seriously, we have to recognize that re-entry means resumption of the rights and privileges of American citizenship. Helping these men and women comply with their legal obligations fills a new, unmet need for many of the low income Alabamians who are our client base."

While those who commit murder, rape, sexual abuse, and other heinous acts will still be barred from ever regaining their right to vote without a pardon, there are many more convictions that will no longer strip individuals of their right to vote. Those convictions include common driving offenses, receiving stolen property, drug possession for personal use, and other state drug crimes. Individuals with these convictions can even vote while incarcerated.

LSA and the ACLU of Alabama will also host "restoration clinics" at churches in Birmingham, Mobile, and Selma this summer, and will conduct caravans to high visibility areas in low income neighborhoods in those cities as well. The effort will resume in the fall, with a full statewide outreach effort.

"Effective legal aid for the poor requires taking your work to the neighborhoods where disadvantaged people live. That is why we are drawing on the clergy community and why we will literally be going on the road in Birmingham, Mobile and the Black Belt in late summer," said Executive Director Davis.

These clinics and caravans will give people the resources and the legal assistance they need to check their voter registration status and eligibility for restoration, to fill out their applications, and to increase their chances at successfully restoring their right to vote.

As the legendary Civil Rights activist and Selma marcher Amelia Boynton once said, "A voiceless people is a hopeless people." This effort to bring the voting rights restoration process to low income, often marginalized Alabamians is a vital contribution to LSA's efforts on behalf of low wage and low income people and ACLU's mission of securing civil liberties for the

voiceless.

The Voter Rights Restoration Training will be held on July 8, 2017 at 1pm at the Brown Chapel A.M.E. Church in Selma. The dates of the restoration clinics will begin in mid to late July, and will be announced in coming weeks. If you have additional questions, contact Rebecca Seung-Bickley at 334-420-1743 or Desiree Taylor at 334-832-1427.

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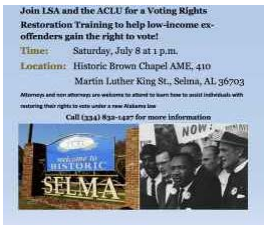
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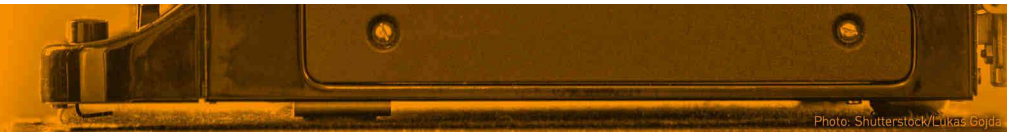

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SPEAK FREELY



The Alabama Governor Just Signed a Bill That Will Restore Voting Rights to Thousands of Alabamians



By Julie Ebenstein, Staff Attorney, Voting Rights Project, ACLU

MAY 26, 2017 | 12:45 PM

TAGS: Criminal Re-enfranchisement, Voting Rights



Approved in 1901, the Alabama Constitution disqualifies from voting any citizen convicted of a "crime involving moral turpitude." That may at first seem racially neutral, but the document as well as the moral turpitude provision were designed with clear racist intent. The drafters intentionally sought to subvert the 14th and 15th Amendments' protection against racial discrimination in voting by using the moral turpitude provision, in conjunction with discriminatory criminal justice enforcement, to target Alabama's Black citizens.

As the Supreme Court held in 1985, Alabama's moral turpitude provision was enacted out of racial animus. The court explained, "the delegates to the all-white [1901] convention were not secretive about their purpose," which was, as the "president of the convention stated in his opening address . . . 'to establish white supremacy in this State.'"

The stench of that discriminatory purpose still lingers today.

Under the moral turpitude provision, Alabama currently

disenfranchises over 250,000 otherwise qualified citizens — nearly 8 percent of the population — because of a prior conviction. Because of Alabama's disproportionately high rate of arrest and prosecution of its Black citizens, that includes over 15 percent of the Black voting age population.

But yesterday, nearly 120 years later, Alabama took a small step towards reform.

Last night, Gov. Kay Ivey signed HB282, restoring voting rights to thousands of Alabamans with a prior felony conviction. The law simply establishes a comprehensive list of felonies involving "moral turpitude," so that the term cannot be misapplied or interpreted overly broadly. The new law, at minimum, gives voters appropriate notice of which convictions will disqualify them from voting — clarity Alabamians never had before.

The list of disqualifying crimes includes serious, violent offenses, like murder, rape, and treason as well as crimes related to dishonesty, like securities fraud and forgery. Critically, it *does not include* drug possession offenses.

Until yesterday, determining which felonies disqualify a citizen from voting was based on amorphous interpretations of "moral turpitude" that varied by county. There was no definitive list of offenses. Instead, there was a 2005 state attorney general opinion setting out categories of crimes determined by the Alabama courts to involve, or not involve, moral turpitude. It included lower level offenses, like possession of marijuana for resale, and crimes that were difficult to identify without a course in criminal law, like all offenses that "have fraud as an element." The opinion recognized that the attorney general could not "provide an exhaustive list of every felony involving moral turpitude," which leads you to wonder how the average citizen could have possibly figured out whether their conviction affected their

voting rights.



The new law, at minimum, gives voters appropriate notice of which convictions will disqualify them from voting — clarity Alabamians never had before.

There was also a conflicting 2008 Administrative Office of Courts list, which set out *different* disenfranchising offenses. For example, the attorney general's list included income tax evasion, which the AOC's list did not, and the attorney general's list included all property theft convictions, while the AOC list excluded lower level property theft. Based on these two non-authoritative statements, county election boards were left to determine independently who could and could not vote.

The system was a mess.

Before the Alabama Legislature passed and Gov. Ivey signed this law, Alabamans lacked clear information not only on who would be disenfranchised, but how they could apply to restore their rights. Take Pastor Kenneth Glasgow, a community leader, founder of The Ordinary People Society, and formerly incarcerated citizen who spent three years fighting through the pardon process to have his voting rights restored. Years later, he learned that the state had made a mistake. He should never have been disenfranchised in the first place because his drug charge was not a "moral turpitude" offense. Pastor Glasgow was, with Will Harrell from the ACLU's Smart Justice

Campaign, one of the leaders of the movement to pass the new law.

We have seen the same problem in other states: Confusion surrounding the rules for getting voting rights restored prevents voters from seeking restoration and unnecessarily extends their disenfranchisement.

In Iowa, for example, we represented Kelli Griffin who was disenfranchised due to a drug conviction. When she registered to vote because she believed that her rights had been restored upon completion of her probation sentence, as was the rule under the prior governor, she was arrested and charged with voter fraud. She was later acquitted.

In Virginia, we represented citizens with prior convictions as a friend of the court opposing state legislators' challenge to Gov. Terry McAuliffe's power to grant blanket clemency. Virginia's previous administrative process for applying for clemency was all but impossible to navigate, and the practical barriers kept restoration out of reach to many returning citizens. Now the process is straightforward and accessible.

Similarly, in Florida, citizens' eligibility to apply for restoration ebbs and flows with each new governor, leaving Floridians susceptible to political manipulation. Gov. Scott, for example, severely restricted eligibility for citizens to apply for rights restoration by amending the clemency board rules in 2011. Restorations, as a result, have slowed to a trickle.

With varied disenfranchisement rules from state to state and confusion within states on the rules and procedures for getting voting rights restored, people with a felony conviction have a disincentive, or may be too intimidated, to assert their right to vote. Alabama took a first step to correcting that confusion yesterday.

Imposing "civil death" on Alabamans with a prior conviction and denying their equal citizenship comes at great cost to their communities and to the overall health of the democratic process. As we have seen in other states, we all benefit from citizens with a prior conviction participating in the democratic process.

Last month in Philadelphia, the ACLU undertook a turnout drive, led by people with a prior felony conviction, to get out the vote in a district attorney primary. The elected prosecutor, who will make charging decisions in criminal prosecutions, now will be heavily influenced by the activism and input of citizens who have been most deeply affected by the criminal justice system.

In Florida, which permanently excludes citizens from voting upon conviction for a felony, the ACLU supportsFloridians for a Fair Democracy's proposed constitutional amendment to restore voting rights upon completion of sentence for most offenses. The nearly 1.6 million citizens who could rejoin the democratic process if the amendment is passed will surely improve future elections.

Alabama's new law cannot wipe clean the state's discriminatory constitutional provision, but this victory moves the state slightly closer towards our goal of full democratic inclusion.

ADD A COMMENT (2)

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Ellen Wright

Well done! My dad was from Alabama and this was one of the reasons he left the state. He was never comfortable with the way the state treated POC. Taking away voting rights is a serious matter. I will fight as long as I have breath for the right of citizens to vote.

REPLY | MAY 28, 2017 | 8:45 PM

Anonymous

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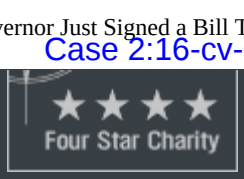


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BECAUSE FREEDOM CAN'T PROTECT ITSELF

EXHIBIT 2

LEGAL SERVICES ALABAMA

LSA Sees Big Turnout for Weekend Voter Rights Training



By Desiree Taylor

More than 100 people from across the state gathered at the Historic Brown Chapel in Selma, Ala., July 8 to get informed about Alabama's new law regarding voting rights.

Sponsored by the American Civil Liberties Union (ACLU) of Alabama and Legal Services Alabama, the Voting Rights Restoration Training attracted students, community leaders, dignitaries, state officials and lawyers who wanted to learn more about the crimes of moral turpitude statute and how it effects ex-offenders regarding the voting process. Signed by Gov. Kay Ivey in May, the new law will go into effect August 1. Speakers included the leadership and attorneys from ACLU and LSA, representatives from the Alabama Board of Pardons and Paroles and the Office of the Secretary of State, as well as the Rev. Kenneth Glasgow, a longtime voter restoration advocate.

Kynesha Brown of the Montgomery Alumnae Chapter of Delta Sigma Theta Sorority Inc., said the event was much needed for the area.

"With the current Moral Turpitude Law, many, including myself, were a little skeptical of the changes and how it would positively or negatively affect people with criminal convictions," Brown said, whose group often holds voter rights restoration and expungement clinics. "Today's training provided a much needed clarification regarding what convictions were removed, and the convictions that will still have to go through the Board of Pardons and Paroles process."

Brown said her group is excited to partner with LSA and the ACLU to hold clinics in the Montgomery area beginning this fall.

believed the event was very important.

“I was particularly impressed with the presence of high-level representatives from the Department of Pardons and Paroles, as well as from the Secretary of State's office,” Dilbeck said. “I was also impressed at how much Mr. (Jonathan) Blocker (Legal Services Alabama) has already thought through the important aspects of staffing and logistics for the actual clinics.”

Dilbeck also stated, “It's critical to ensure that the successes won in the recent bill are translated into enfranchisement and voting for previously incarcerated persons,” she said. “Without such clinics, I'm not sure that the word would get out to the population that most needs the information.”

For Dilbeck, attending the training provided more overall understanding of the crimes of moral turpitude legislation.

“Attending the full session and hearing the various speakers, made me more confident in my understanding of the law, and of the necessary steps to restoring voting rights,” Dilbeck said. “I will advise others that we should be diligent in helping people who have been denied registration, and will know that there are several avenues to take when it appears that such denial is unjustified.”

Ian Green, a third year law student at Cumberland School of Law in Birmingham, believed the event was timely and crucial. The training, Green said, helped to bring more clarity to what the new law means to ex-offenders and volunteers who wish to help them.

“The best part of the event was that everything was on time and that everyone’s questions were answered,” Green said. “With the procedural aspects (when it concerns ex-offenders regaining their voting rights) I felt really comfortable, and didn’t feel stuck or dissatisfied.”

Clinics will be held this summer throughout Birmingham, Mobile and the Black Belt. For more information regarding clinic dates and times, please visit www.legalservicesalabama.org event calendar.



ACLU of Alabama)



(From L-R) Brock Boone (Staff Attorney for ACLU of Alabama), LSA Executive Director Artur Davis, Randall Marshall, Acting Exec. Dir. of ACLU of Alabama, and Rebecca Seung-Bickley, Communications and Development Associate of ACLU of Alabama pose during a Voting Rights Restoration Training held inside Selma's Historic Brown Chapel on July 8. (photo courtesy: Rebecca Seung-Bickley, ACLU of Alabama)

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EXHIBIT 3



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ACLU of Alabama
June 14

We are excited to partner with Legal Services Alabama to work together on restoring voting rights for the people of Alabama. Learn more about this initiative on our website, including information about the upcoming training session in Selma on July 8.



Legal Services Alabama and ACLU of Alabama Launch a New Voting Rights Campaign at Selma's Brown Chapel A.M.E.

SELMA, Ala. - The fight for voting rights has a...

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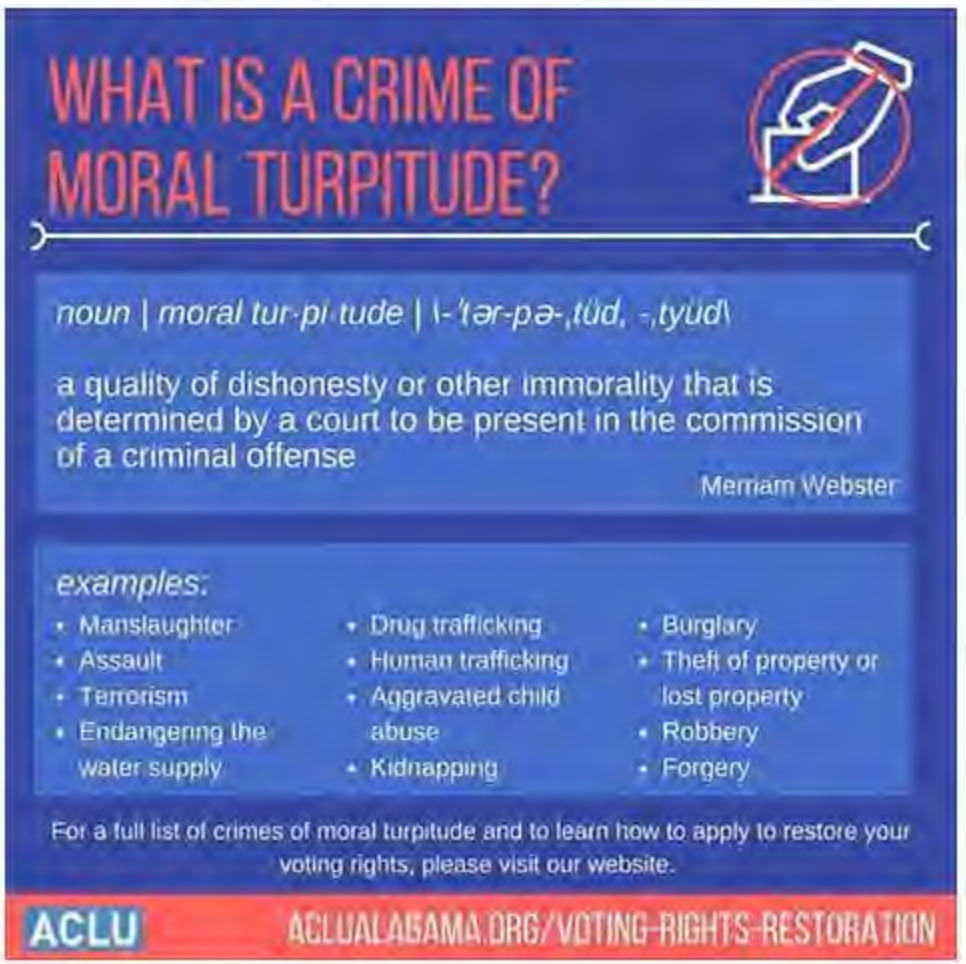
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ACLU of Alabama
June 15 at 12:41pm ·

Do you know what a crime of moral turpitude is? A new law defines a specific list of crimes of moral turpitude, which result in the loss of the right to vote. But restoring voting rights is possible! Learn how at our training session with Legal Services Alabama on July 8.



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ACLU of Alabama
June 21 at 12:16pm

Meanwhile, we are working with Legal Services Alabama to do just that.



Alabama Won't Help Disenfranchised Citizens Understand If They Can Now Vote

"I'm not going to spend state resources" on that effort, Alabama's secretary of state says.

HUFFINGTONPOST.COM | BY SAM LEVINE

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ACLU of Alabama
June 27 at 3:11pm

Some people with felony convictions can vote; some can't. Learn more about the difference with this infographic, on our website at https://aclualabama.org/voting-rights-restoration, and at our training with Legal Services Alabama in Selma on July 8.



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VOTER RESTORATION

CAN VOTE

- Those charged with misdemeanors
- Those charged with felony DUIs, driving while suspended, receiving stolen property, and drug possession for personal use
- Those determined to be Youthful Offenders
- Those who are currently incarcerated for one of the above offenses

CAN'T VOTE

Those charged with an **ineligible conviction** unless pardoned, including but not limited to:

- Murder
- Rape, sodomy, sexual torture, sexual abuse, and incest
- Permitting children to engage in or the production of obscene matter with minors
- Enticing a child to enter a vehicle for immoral purposes
- Soliciting a child by computer
- Possession with intent to distribute child pornography

NEED TO APPLY

If you have been convicted of a **crime of moral turpitude**, including but not limited to:

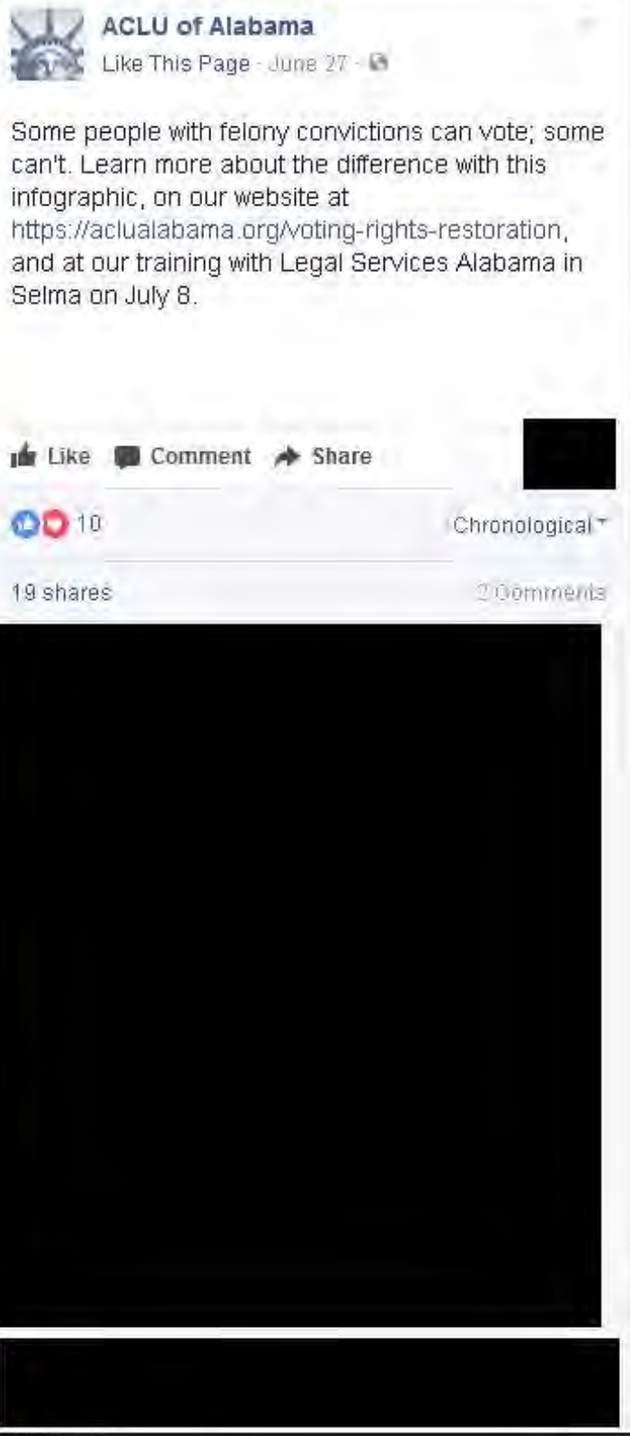
- Theft of property
- Robbery
- Burglary

And you meet all of the following:

1. You have not been convicted of an ineligible conviction.
2. You have no pending criminal felony charges.
3. You have paid all fines ordered at the time of sentencing for the disqualifying felony
4. You have completed your full sentence, probation/parole, OR been pardoned.

Then you can apply for restoration by contacting the Board of Pardons and Paroles.

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ACLU of Alabama shared Legal Services Alabama's photo.

July 5 at 12:59pm ·

This Saturday, we'll be on Facebook Live for anyone who is unable to attend the training in Selma. Whether lawyer or non-lawyer, experienced or new, all are welcome to tune in and learn about how Alabama's laws impact who can and can't vote.



Legal Services Alabama

July 5 at 12:49pm ·

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Post your comments and questions during the live broadcast Saturday, July 8 at 1 PM!

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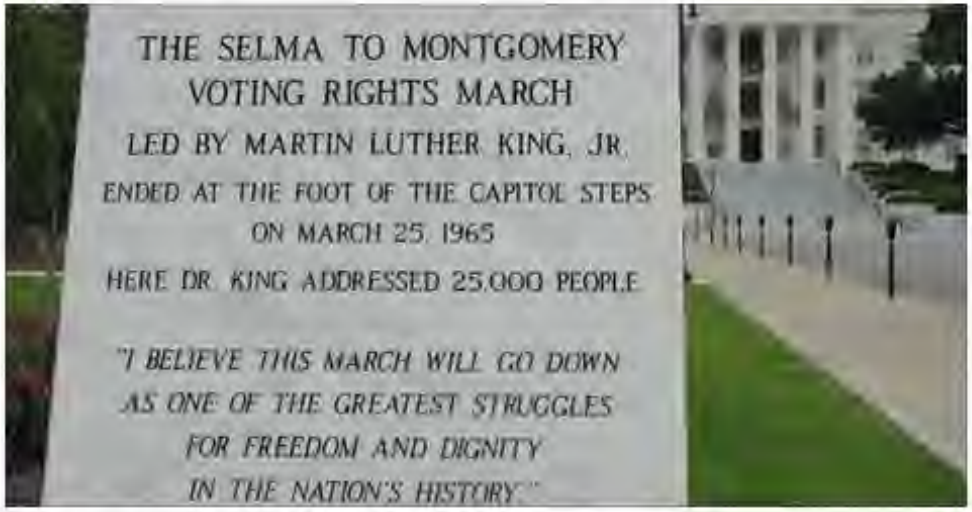
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ACLU of Alabama
July 6 at 1:49pm

al.com has a new op-ed from our Communications & Development Associate about the importance of the new moral turpitude law in Alabama. Knowledge and voting are power, so exercise both by learning more about voting rights.



Voting is more than a privilege, it's a right

Originally published on AL.comThis weekend marks the beginning of a statewide voting rights restoration campaign that the ACLU of Alabama and Legal Services Alabama are partnering on. Historically, anyone who commits a crime of moral…

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ACLU of Alabama was live.
July 8 at 1:01pm

We're live from Brown Chapel A.M.E. Church in Selma discussing Voter Rights Restoration with Legal Services Alabama. If you have questions, please comment them here, and we will pass them to the speaker. The handout is available online at aclualabama.org/voting-rights-restoration. The presentation materials will be added after the training.



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ACLU of Alabama

June 5

Here's an overview from the recent Alabama legislative session of what passed, what failed, and how it might affect you.



2017 Alabama Legislative Report

The 2017 legislative session ended May 19, and to many, it seemed to be among the most contentious of recent years. In addition to the removal of Chief Justice Roy Moore and the resignation of Governor Robert Bentley, there were heated...

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Legal Services Alabama added 2 new photos to the album: Voter Rights Restoration Training (Selma, AL).
July 10 at 10:52am ·

The ACLU of Alabama and Legal Services Alabama held a Voter Rights Restoration Training on Saturday, July 8 at the Historic Brown Chapel AME Church in Selma, AL. Community groups, civic leaders and professionals, Attorneys and concerned citizens from all over the state gathered to hear more about the crimes of moral turpitude statute that goes into effect August 1. Please visit www.legalservicesalabama.org event calendar to see specific dates and times of clinics in your area.





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Legal Services Alabama
July 10 at 5:42pm

More than 100 people from across the state gathered at the Historic Brown Chapel in Selma, Ala., Saturday, July 8 to get informed about Alabama's new law regarding voting rights. Missed the event? Read the story here!



LSA Sees Big Turnout for weekend Voter Rights Training

More than 100 people from across the state gathered at the Historic Brown Chapel in Selma, Ala., July 8 to get informed about Alabama's new law regarding voting rights.Sponsored by the American Civil Liberties Union (ACLU) of Alabama and...

LEGALSERVICESALABAMA.ORG

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Legal Services Alabama shared a link.
Yesterday at 8:55am



New AL law restores convicted felons' right to vote

A new Alabama law signed in May will restore thousands of convicted felons to restore their rights to vote.

WSFA.COM

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[redacted]

Legal Services Alabama added 2 new photos.
June 26 at 11:00am

Do you know what a crime of moral turpitude is, and how it affects your right to vote? Find out July 8!

LSA/ACLU: Restore the Vote Campaign! Voting Rights for low-income Alabamians!





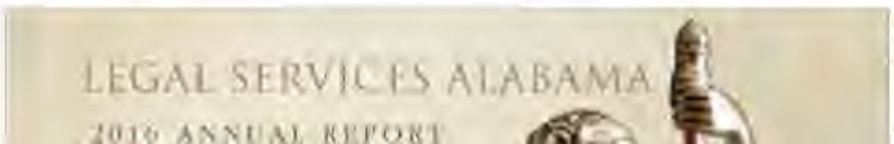
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9

[redacted]

Legal Services Alabama
June 23 at 4:27pm

Our 2016 Annual Report is now available. Please click below to download a copy.



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Typically replies within an hour
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www.LegalServicesAlabama.org

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Legal Services Alabama
June 27 at 3:24pm ·

Some people with felony convictions can vote; some can't. Learn more about the difference: https://aclualabama.org/voting-rights-restoration, and at our training with ACLU of Alabama in Selma on July 8.



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Legal Services Alabama added a new photo.
June 30 at 12:21pm

Voting Rights Restoration Training

Sponsored by Legal Services Alabama and the ACLU of Alabama

Time: Saturday, July 8 at 1 PM

Location: Historic Brown Chapel AME, 410 Martin Luther King St., Selma, AL.

Call (334) 832-1427 or visit www.legalservicesalabama.org for more info!

SEE YOU THERE!



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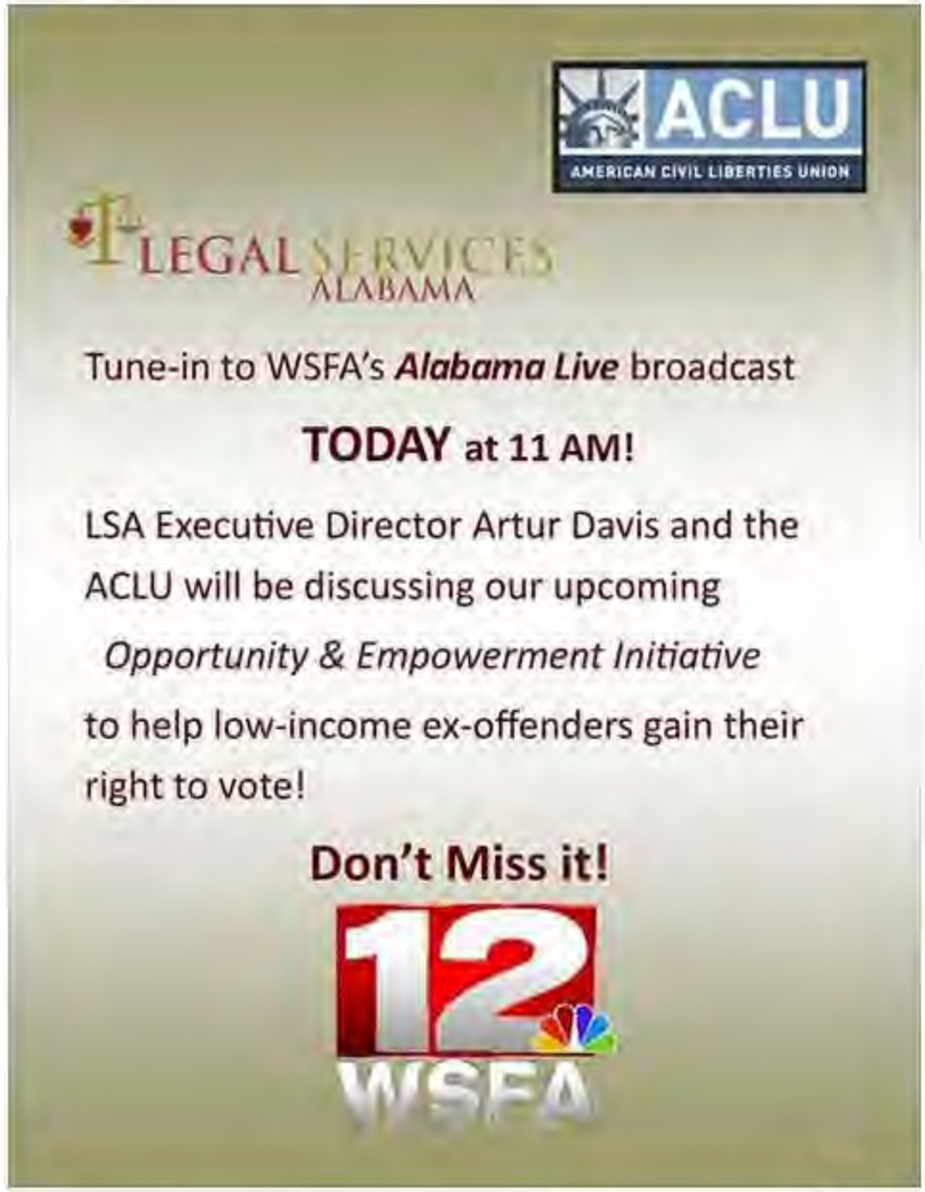
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Legal Services Alabama added a new photo
July 5 at 9:39am



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Legal Services Alabama
July 5 at 12:49pm

Post your comments and questions during the live broadcast Saturday, July 8 at 1 PM!



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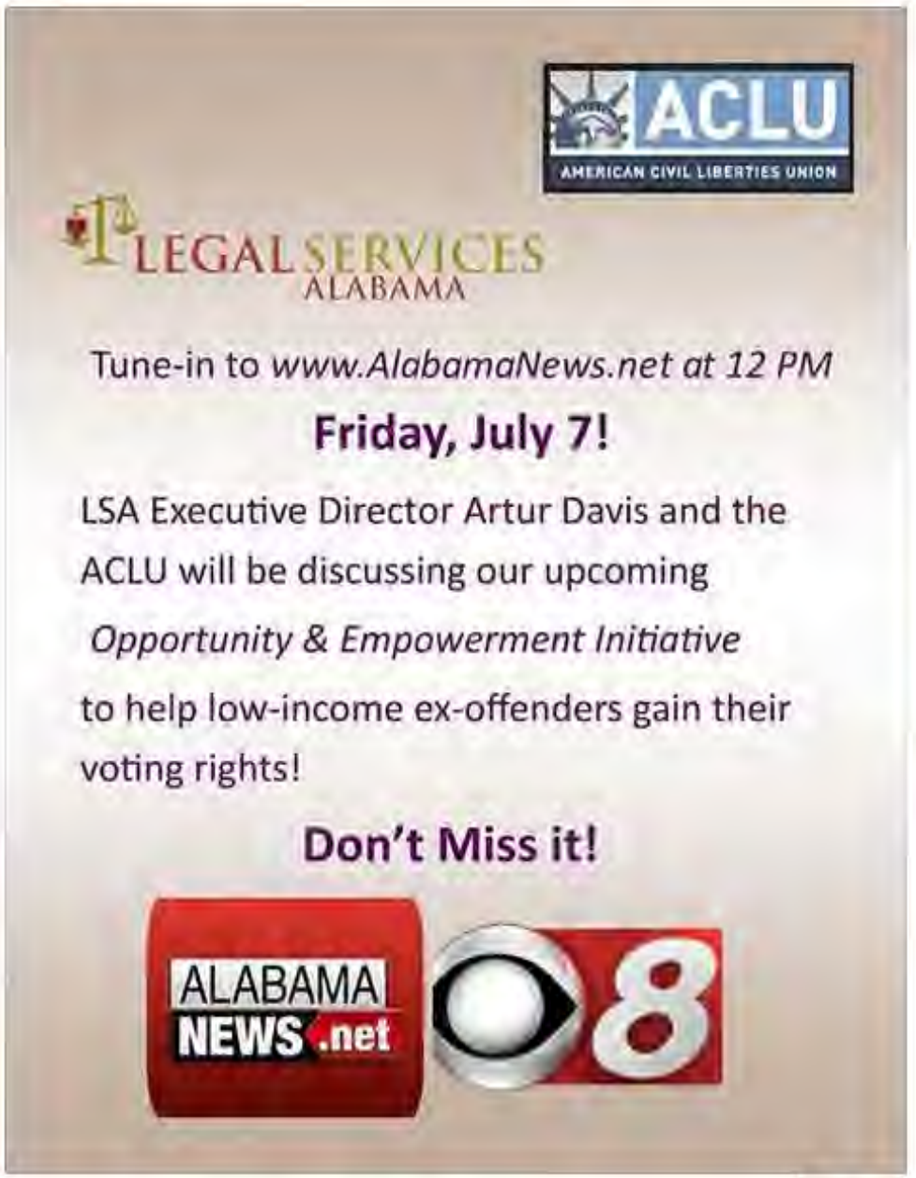
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Legal Services Alabama
July 6 at 9:51am

visit www.AlabamaNews.net Friday, July 7 @ 12 PM, to watch LSA Executive Director Artur Davis and Randall Marshall, Executive Director of ACLU of Alabama, discuss our recent initiative to help ex-offenders regain their voting rights!



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Legal Services Alabama
July 6 at 1:25pm

Missed LSA & the ACLU's Alabama Live appearance on July 5th? View the WSFA 12 News broadcast here:



Voting Rights Restoration Training

WSFA.COM

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Legal Services Alabama
July 7 at 4:20pm

Today, Executive Director Artur Davis and ACLU of Alabama's acting Executive Director Randall Marshall, sat down with WAKA CBS 8 News to discuss the joint effort to help get ex-offenders educated about gaining their voting rights. A Voter Rights Restoration Training will be held Saturday, July 8 @ 1 PM in Historic Brown Chapel In Selma; the event is open to anyone interested in either restoring their right to vote, or wanting to help others to do so. Watch the video to hear more about this new Initiative!



402 Views

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Legal Services Alabama added 14 new photos to the album: Voter Rights Restoration Training (Selma, AL).
July 8 at 6:39pm ·

The ACLU of Alabama and Legal Services Alabama held a Voter Rights Restoration Training on Saturday, July 8 at the Historic Brown Chapel AME Church in Selma, AL. Community groups, civic leaders and professionals, Attorneys and concerned citizens from all over the state gathered to hear more about the crimes of moral turpitude statute that goes into effect August 1. Please visit www.legalservicesalabama.org event calendar to see specific dates and times of clinics in your area.



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EXHIBIT 5

ACLU of Alabama @ACLUAlabama · May 26

The newly signed moral turpitude bill provides a clearer path for many Alabamians to regain their right to vote.



The Alabama Governor Just Signed a Bill That Will Restore Voting ...

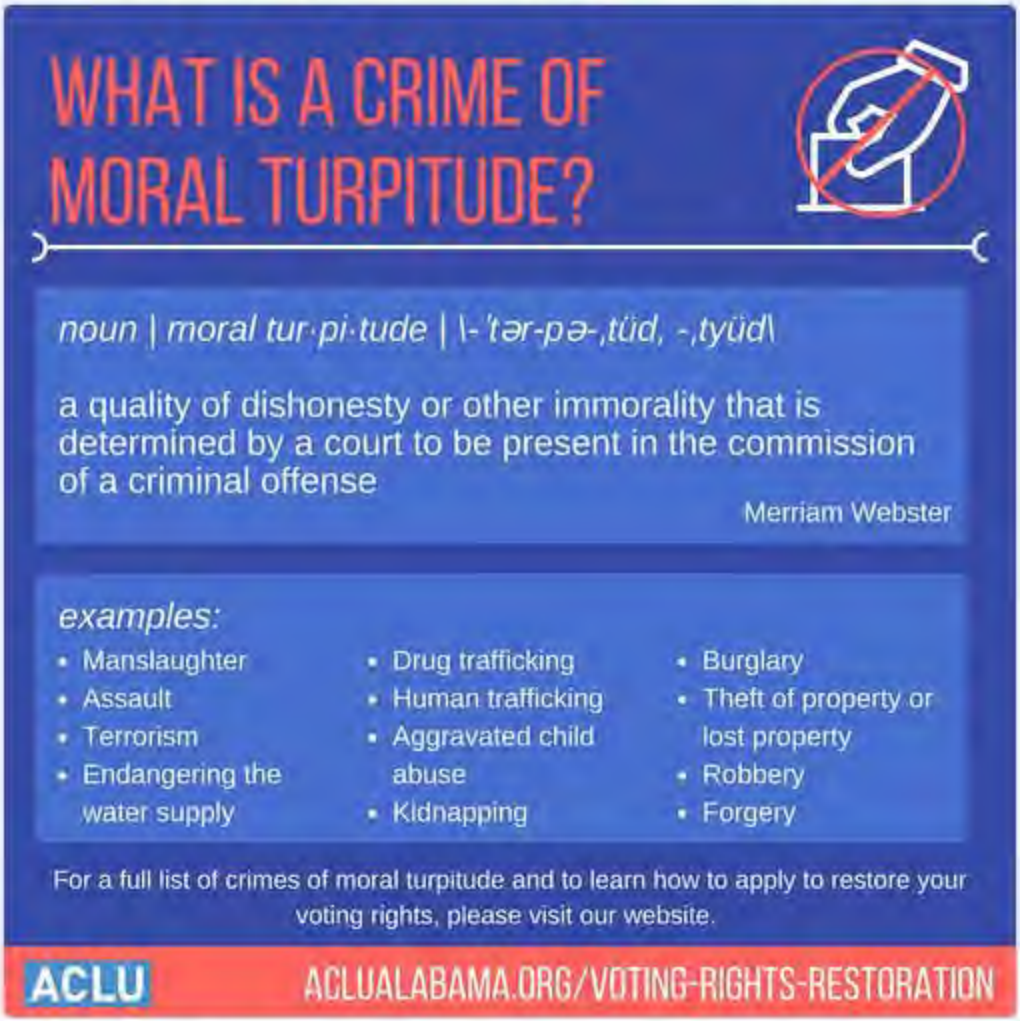
Approved in 1901, the Alabama Constitution disqualifies from voting any citizen convicted of a "crime involving moral turpitude." That may at first...

aclu.org

1 3

ACLU of Alabama @ACLUAlabama · Jun 23

So whats a crime of moral turpitude? You lose vote but restoring is possible! Learn how at our training w @LSAlabama July 8. #RestoretheVote

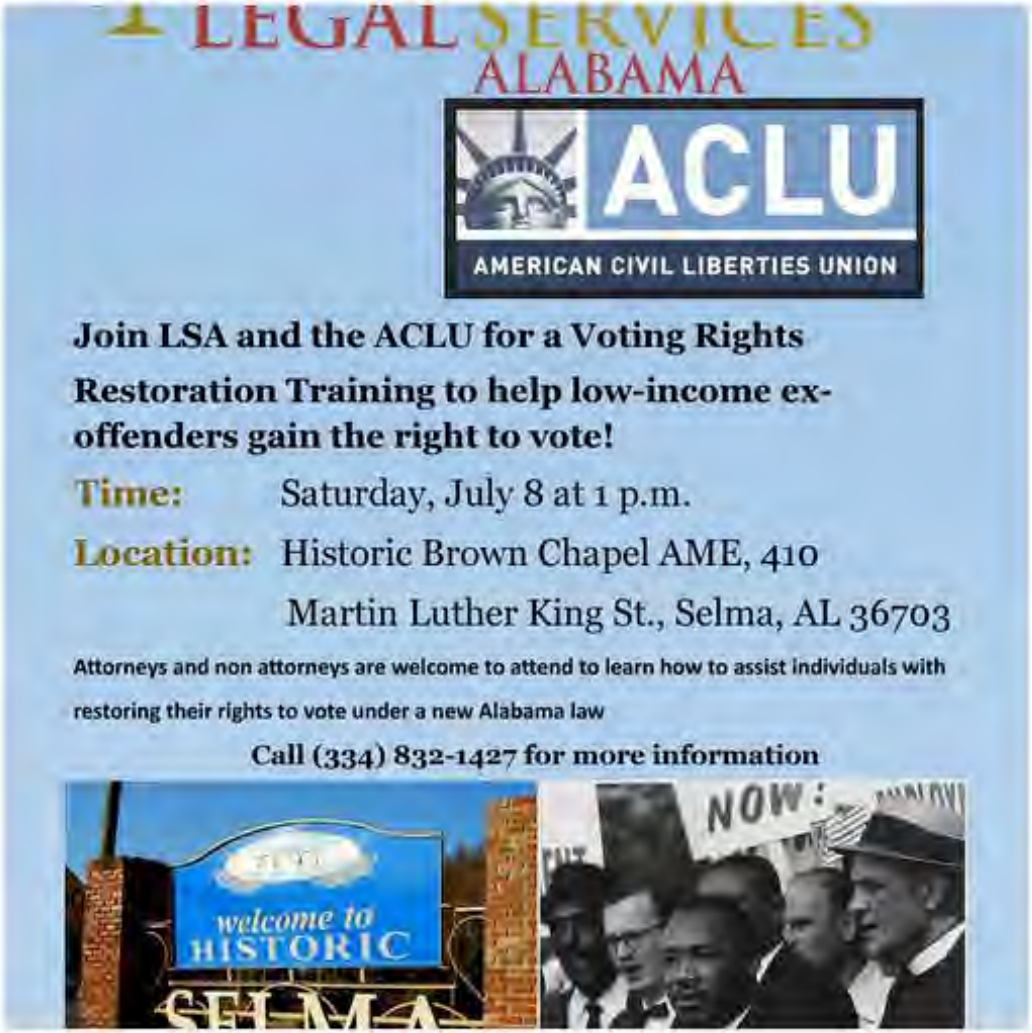


6 5

ACLU of Alabama Retweeted

LegalServicesAlabama @LSAlabama · Jun 20

Do you know what a crime of moral turpitude is, and how it affects your right to vote? Find out July 8! #RestoretheVote @ACLUAlabama



8 11

ACLU of Alabama @ACLUAlabama · Jun 27

Some people with felony convictions can vote; some can't. Learn more with this graphic, on our website, and at our training with @LSAlabama.

VOTER RESTORATION

CAN VOTE

- Those charged with misdemeanors
- Those charged with felony DUIs, driving while suspended, receiving stolen property, and drug possession for personal use
- Those determined to be Youthful Offenders
- Those who are currently incarcerated for one of the above offenses

CAN'T VOTE

Those charged with an **ineligible conviction** unless pardoned, including but not limited to:

- Murder
- Rape, sodomy, sexual torture, sexual abuse, and incest
- Permitting children to engage in or the production of obscene matter with minors
- Enticing a child to enter a vehicle for immoral purposes
- Soliciting a child by computer
- Possession with intent to distribute child pornography

NEED TO APPLY

If you have been convicted of a **crime of moral turpitude**, including but not limited to:

- Theft of property
- Robbery
- Burglary

And you meet all of the following:

1. You have not been convicted of an ineligible conviction.
2. You have no pending criminal felony charges.
3. You have paid all fines ordered at the time of sentencing for the disqualifying felony
4. You have completed your full sentence, probation/parole, OR been pardoned.

Then you can apply for restoration by contacting the Board of Pardons and Paroles.

ACLU ACLUALABAMA.ORG/VOTING-RIGHTS-RESTORATION

7 5

ACLU of Alabama Retweeted

LegalServicesAlabama @LSAlabama · Jul 5

Can't attend LSA and ACLU's Voting Rights Restoration training on July 8? Tune-in to our Facebook page Live @ 1 PM! Post your questions!



3 2



ACLU of Alabama @ACLUAlabama · Jul 8

Hi @deray We'll be at Brown Chapel in Selma on Sat Jul 8 at 1pm w @LSAlabama to train ppl about voter restoration. aclualabama.org/en/press-relea...

1 3

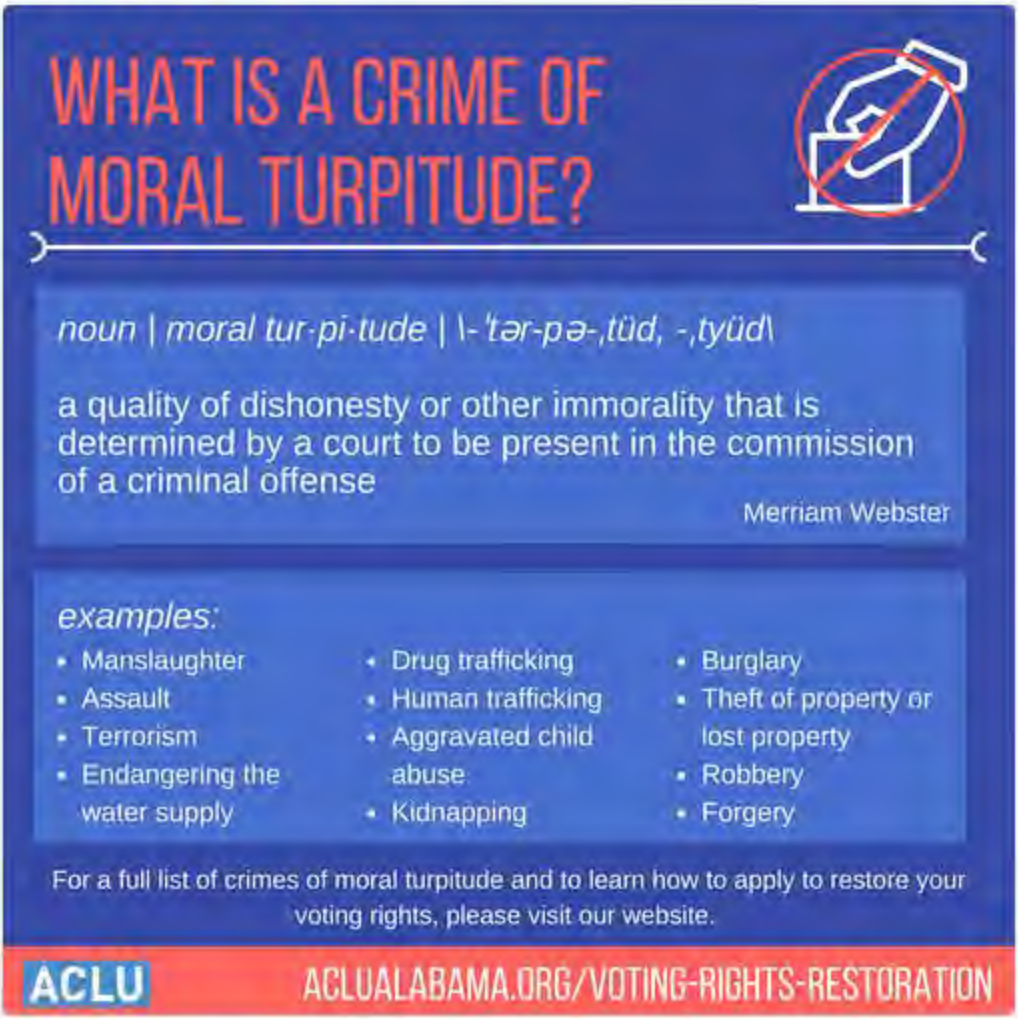


Missed our Voting Rights Restoration Training this weekend? Get the story here: tinyurl.com/y7r64h8q #ALvotngrights @ACLUAlabama

1

EXHIBIT 6

ACLU & LSA are partnering to help ex-offenders know their rights!
#ALvotingrights #RestoretheVote



1 7 6

LegalServicesAlabama @LSAlabama · Jun 20

Do you know what a crime of moral turpitude is, and how it affects your right to vote? Find out July 8! #RestoretheVote @ACLUAlabama

LEGAL SERVICES ALABAMA

ACLU

AMERICAN CIVIL LIBERTIES UNION

Join LSA and the ACLU for a Voting Rights Restoration Training to help low-income ex-offenders gain the right to vote!

Time: Saturday, July 8 at 1 p.m.

Location: Historic Brown Chapel AME, 410 Martin Luther King St., Selma, AL 36703

Attorneys and non attorneys are welcome to attend to learn how to assist individuals with restoring their rights to vote under a new Alabama law

Call (334) 832-1427 for more information





8 11

Legal Services Alabama @LSAlabama · Jul 5

Can't attend LSA and ACLU's Voting Rights Restoration training on July 8?
Tune-in to our Facebook page Live @ 1 PM! Post your questions!

Don't get left out of the Voting Rights Restoration Training.
Watch it on **Facebook Live** on July 8 at 1 pm.

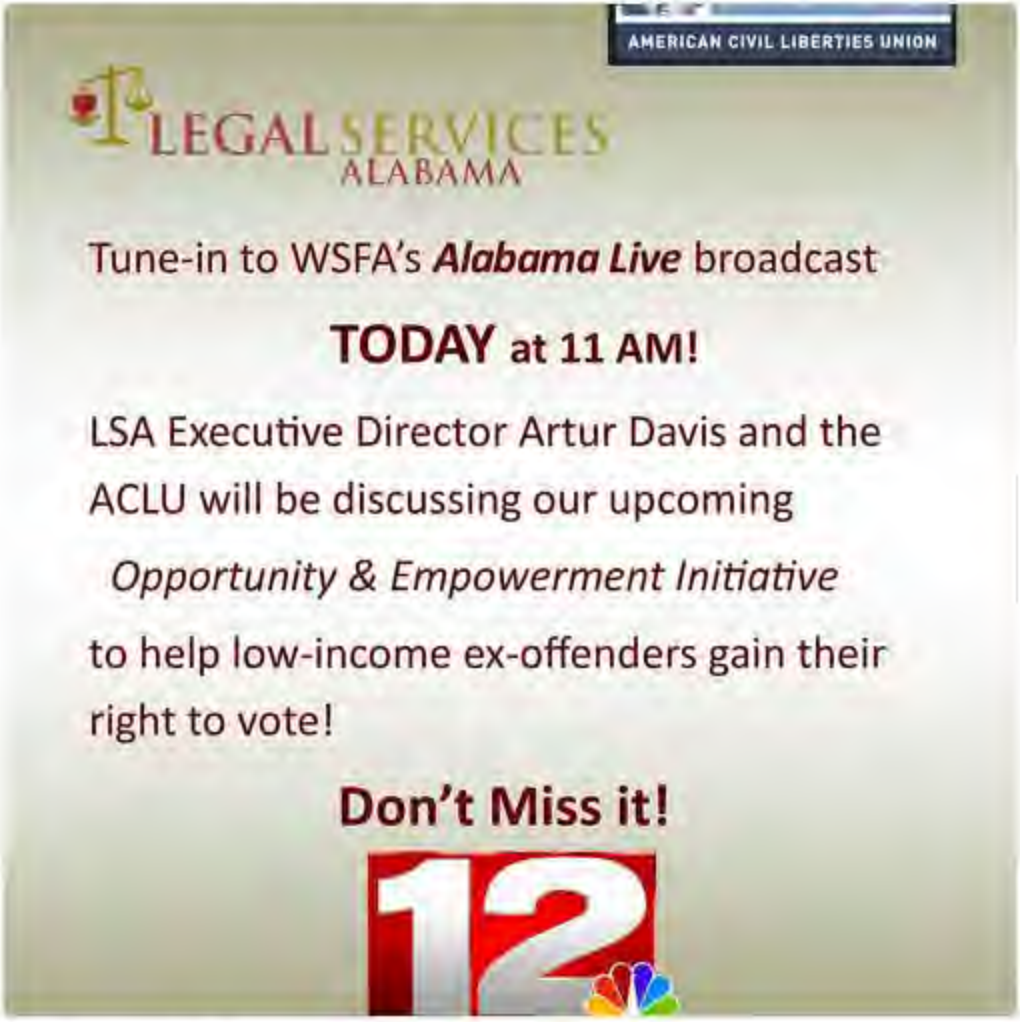


Broadcast live from the Historic Brown Chapel in Selma
Available through *Legal Services Alabama* and *ACLU of Alabama* Facebook Pages

3 3

Legal Services Alabama @[illegible]

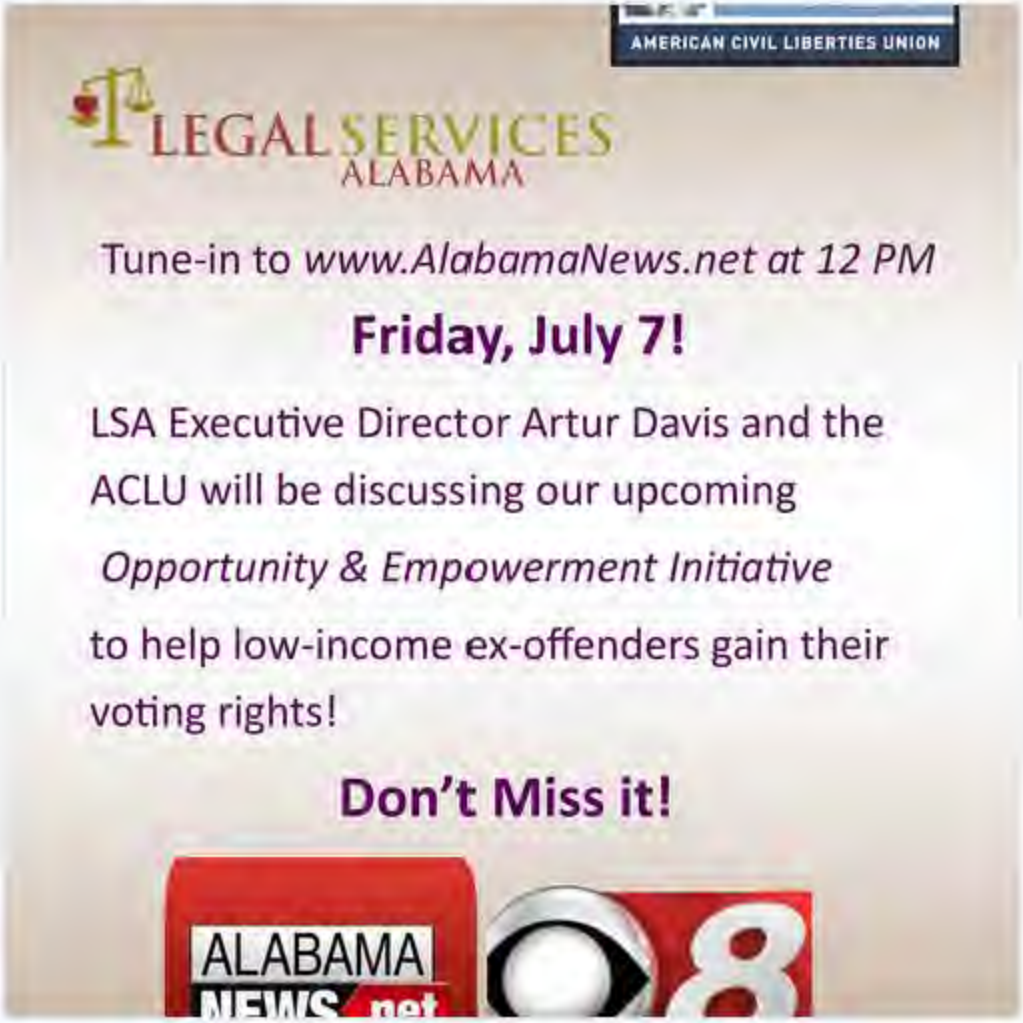
Tune-in to WSFA's Alabama Live broadcast today at 11 a.m.! LSA Executive Director Artur Davis and the ACLU, will discuss our new initiative!



1 2

LegalServicesAlabama @LSAlabama · Jul 6

Visit AlabamaNews.net July 7 at Noon to hear about how LSA and the ACLU are helping ex-offenders gain the right to vote!



1



ACLU of Alabama @ACLUAlabama Jul 10

Thanks to everyone who came out on Sat. If you are interested in coming to a restoration clinic, find out more here: aclualabama.org/en/campaigns/v

2

EXHIBIT 7

File Edit View History Bookmarks Tools Help

alabama felon - Google Sear

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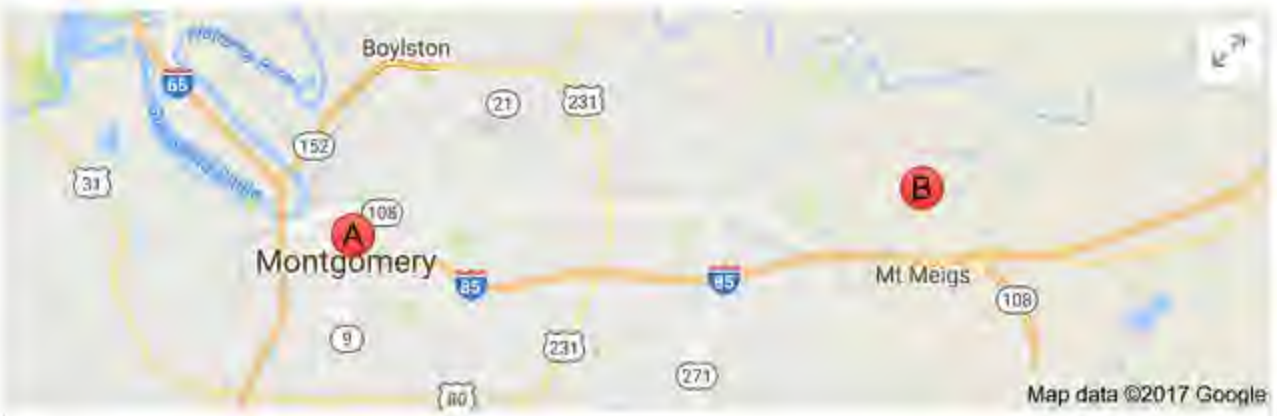
About 449,000 results (0.57 seconds)

Gov. Ivey signs bill restoring 'thousands' of Alabama felons' right to ...
www.al.com/news/index.ssf/2017/05/gov_ivey_signs_bill_restoring.html
May 25, 2017 - Gov. Kay Ivey has reportedly signed a bill restoring 'thousands' of **Alabama felon's** right to vote, according to a news report.

Alabama Legislature approves bill that would restore 'many' felons ...
www.al.com/news/index.ssf/2017/05/alabama_legislature_approves_b.html
May 18, 2017 - A bill that arrived on Gov. Kay Ivey's desk Thursday morning would restore "many" **Alabama felons**' right to vote if she signs it, according to ...

Alabama's Republican Governor Just Helped Thousands of Felons ...
www.motherjones.com/.../alabama-governor-signs-law-could-restore-voting-rights-th...
May 25, 2017 - **Alabama** Gov. Kay Ivey signed a law on Wednesday that could restore voting rights to thousands of **felons**, many of them African American, in a ...

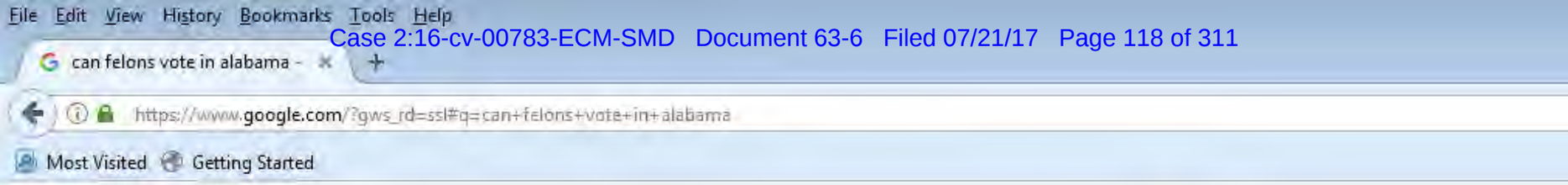
Alabama governor signs law giving thousands of felons their right to ...
https://thinkprogress.org/alabama-voting-restoration-86d82cc1c2d0
May 24, 2017 - As it turned out, **Alabama** had been disenfranchising **felons** using a century-old, discriminatory provision which states that "no person convicted ...



Hours

A Alabama Department of Corrections
Correctional Services Department
Montgomery, AL · (334) 353-3883
Open until 5:00 PM
WEBSITE DIRECTIONS

B Alabama Department of Corrections
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Google

can felons vote in alabama

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Can a Felon Vote in Alabama? - JobsForFelonsHub.com
https://www.jobsforfelonshub.com/felon-voting-rights/alabama/
That name is surprising when it comes to **felons** trying to regain their voting rights. ... **Felons** who have been convicted of certain crimes of moral turpitude (CMT) may apply to have voting rights restored after they compete their sentence and pay the applicable fees and fines.

Registering felons to vote in jail: How a new Alabama law impacts ...
www.al.com/news/index.ssf/2017/06/registering_to_vote_in_jail_ho.html
Jun 29, 2017 - Convicted **Felons** are Being Registered to **Vote in Alabama** Jails and ... who **can** cast absentee ballots provided they are registered to **vote**.

Alabama governor signs law giving thousands of felons their right to ...
https://thinkprogress.org/alabama-voting-restoration-86d82cc1c2d0
May 24, 2017 - When we was told he couldn't **vote** because of his **felony** conviction, ... as close as we **can** get in **Alabama** at this particular time, especially with ...

New law restores some felons right to vote in Alabama - CBS 42
wiat.com/2017/05/25/new-law-restores-some-felons-right-to-vote-in-alabama/
May 25, 2017 - (WIAT) — Some **felons** in **Alabama** will be able to **vote** again after a new bill ... In **Alabama**, certain crimes of moral turpitude **can** keep someone ...

Voting Rights Restoration | ACLU of Alabama
https://www.aclualabama.org/en/voting-rights-restoration
Jul 7, 2017 - Your **vote** is your voice so that the needs of your community **can** be heard .... If you have not been convicted of a prohibitive **felony** or a crime of ...

Ala. Restores Voting Rights for Thousands With Felony Convictions
www.theroot.com/alabama-restores-voting-rights-for-thousands-with-felon-17955582...
May 25, 2017 - ... **Alabama** Gov. Kay Ivey has signed a bill restoring thousands of **Alabama felons**' right to **vote**. ... The bill **can** be read here. Advertisement.

Alabama's Republican Governor Just Helped Thousands of Felons ...
www.motherjones.com/.../alabama-governor-signs-law-could-restore-voting-rights-th...
May 25, 2017 - As NPR put it, **felons** "in each of **Alabama's** 67 counties might get 67 ... people with **felony** records were not able to **vote** in the 2016 **election**, ...

Alabama Board of Pardons and Paroles - Pardon and Voter Rights
www.pardons.state.al.us/Pardons.aspx
f) AIS# (**Alabama** Prison #, if you have one g) Current physical address ... Have one or more **felony**

EXHIBIT 8

STATE OF GEORGIA APPLICATION FOR VOTER REGISTRATION

Fill out the bottom half of this application by following these directions. Print clearly and use blue or black ink.

1. **LEGAL NAME**. Your full legal name including any suffix such as Sr., Jr., III, is required on this form.
2. **ADDRESS**. Provide residential address. This information is required.
3. **MAILING ADDRESS**. If mailing address is different from residential address, complete the mailing address section.
4. **PERSONAL INFORMATION**. A telephone number is helpful to registration officials if they have a question about your application. Gender and race are requested and are needed to comply with the Voting Rights Act of 1965, but are not mandated by law.
5. **VOTER IDENTIFICATION NUMBER**. Federal law requires you to provide your full GA Drivers License number or GA State issued ID number. If you do not have a GA Drivers License or GA ID you must provide the last 4 digits of your Social Security number. Providing your full Social Security number is optional. Your Social Security number will be kept confidential and may be used for comparison with other state agency databases for voter registration identification purposes. If you do not possess a GA Drivers License or Social Security number please check the appropriate box and a unique identifier will be provided for you.
6. **OATH**. Federal law requires that you answer the citizenship and age questions. Read the oath and sign your name. If you cannot complete this application unassisted because of physical disability or illiteracy, you must either sign or make your mark on the signature line, and the person assisting you MUST sign the signature space for person assisting voter.
7. **POLL OFFICER QUESTION**. Your willingness to be a poll worker will have no bearing on your application for registration.
8. **NAME/ADDRESS CHANGE**. Complete these sections to change the name or address of your current voter registration.
9. **MAP/DIAGRAM**: If you live in an area without house numbers and street names, please include a drawing of your location to assist us in locating your appropriate voting precinct.
10. **DELIVERY INSTRUCTIONS:** Verify that you have completed and signed the application. Enclose a copy of your ID if you are submitting this form by mail and registering for the first time in Georgia. Fold the application in half, remove the tape at the top, and press the edges together. The application is ready for you to mail (postage is prepaid) or deliver to your county voter registration office.
11. **You are NOT officially registered to vote until this application is approved**. You should receive a voter precinct card in the mail. If you do not receive this acknowledgement within two to four weeks after mailing this form, please contact your county voter registration office. You can find your poll location and other election information on the Secretary of State's website at www.sos.state.ga.us/elections.

REQUIREMENT: If you are submitting this form by mail and you are registering for the first time in Georgia, enclose a copy of one of the following with your application: A copy of a current and valid photo ID, a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows your name and address. Those who are entitled to vote by absentee ballot under the Uniform and Overseas Citizens Absentee Voting Act are exempt from this requirement.

Place copy of ID in pocket ⇩ ⇩ Trim copy of ID to size

COUNTY PRECINCT	MUNICIPAL PRECINCT	DISTRICT COMBO	DDS APLICATION NO.	REGISTRATION NO.	CHANGE OF ADDRESS ☐ CHANGE OF NAME ☐ OTHER_____
		OFFICE USE ONLY			

1	LAST NAME	FIRST NAME	MIDDLE OR MAIDEN NAME	SUFFIX ☐ Jr. ☐ Sr. ☐ II ☐ III ☐ IV ☐ V			
2	RESIDENCE ADDRESS: House No. and street name	APT. NO.	CITY	COUNTY	STATE **GA.**	ZIP CODE	
3	MAILING ADDRESS (If different from residence address): Post-office box or route		CITY		STATE	ZIP CODE	
4	TELEPHONE NUMBER ( )	DATE OF BIRTH: MM/DD/YYYY / /	GENDER Male ☐ Female ☐	RACE/ ETHNICITY: ☐ Black ☐ White ☐ Hispanic/Latino ☐ Asian/Pacific Islander ☐ American Indian ☐ Other_____			
5	VALID GA. DRIVER'S LICENSE OR GA. I.D. NO.	**If no GA Driver's License or GA. I.D. No., must provide last 4 digits of your Social Security Number**	FULL SOCIAL SECURITY NUMBER (OPTIONAL) Last 4 Digits (Required)	☐ Check if you do not have a GA Driver's License, GA. I.D. No. or Social Security No.			

6

(Your answer is required under federal law)

I SWEAR OR AFFIRM:

Are you a citizen of the United States of America? Check One: Yes ☐ No ☐

Will you be 18 years of age on or before election day? Check One: Yes ☐ No ☐

If you checked "No" in response to either of these questions, do not complete this form.

I SWEAR OR AFFIRM THAT:

I reside at the address listed above.
I am eligible to vote in Georgia.
I am not serving a sentence for having been convicted of a felony involving moral turpitude.
I have not been judicially declared to be mentally incompetent.

WARNING: Any person who registers to vote knowing that such person does not possess the qualifications required by law, who registers under any name other than such person's own name, or who knowingly gives false information in registering shall be guilty of a felony. O.C.G.A. § 21-2-561

Date _____ X Signature _____ Signature of person helping illiterate or disabled voter _____

7

May we contact you about working as an Election Day poll officer? Yes ☐ No ☐

If you would like to receive additional information by email, please provide your e-mail address:

8

CHANGE OF NAME: If you are changing your name, list the name under which you were previously registered:
Last Name **Suffix** **First** **Middle or Maiden Name**

CHANGE OF ADDRESS: If you are changing your address or if you were previously registered to vote, list your previous address:

CITY | COUNTY | STATE

Military Active Duty? Yes ☐ No ☐

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HON. BRIAN P. KEMP
SECRETARY OF STATE
STATE OF GEORGIA
PO BOX 105325
ATLANTA GA 30348-9562

STATE OF GEORGIA APPLICATION FOR VOTER REGISTRATION

If you meet the following qualifications, complete this form and **personally mail** to the Secretary of State or **personally** deliver to your county voter registration office. Prepaid postage is provided for your convenience.

QUALIFICATIONS: To register to vote you must:
- Be a **citizen** of the **United States**
- Be a legal **resident** of the **county**
- Be at least **17½** years of age to register and **18 to vote**
- **Not** be serving a sentence for conviction of a **felony** involving moral turpitude
- Have **not** been found **mentally incompetent** by a judge

See other side for complete instructions.

Once you complete and personally mail or deliver your application, you should receive an acknowledgement from the local voter registration office. Generally this process takes two to four weeks. To follow up on your voter registration application or to obtain more information on voter registration and elections, just call your local voter registration office.

GENERAL INFORMATION:
For more information on election dates, registration deadlines, and local county voter registration telephone numbers, see the Secretary of State's website at WWW.SOS.STATE.GA.US/ELECTIONS.

HON. BRIAN P. KEMP
SECRETARY OF STATE
1104 West Tower
2 Martin Luther King, Jr. Dr.
SE Atlanta, GA 30334-1505
Telephone: (404) 656-2871

MISSOURI VOTER REGISTRATION APPLICATION

Use this application to:

1. Register to vote in any election in Missouri.
2. Register to vote when you move from one jurisdiction (St. Louis City, Kansas City, or any county) to another jurisdiction (St. Louis City, Kansas City, or any county) within Missouri.
3. Change the address on a current voter registration when you move within a jurisdiction.
4. Change the name on a current voter registration.

Other information:

1. You must be 18 years of age by the day of a particular election to be eligible to vote in that election.
2. If mailed, this form must be postmarked by the 4th Wednesday preceding an election to be eligible to vote in that election. If delivered in person, it must be received in the office of the election authority by the 4th Wednesday preceding an election. (See reverse for election calendar.)
3. Submitting this application to an individual other than the election authority does not insure timely voter registration.
4. After the election authority receives your voter registration application, you will be sent confirmation within 7 business days. If you do not receive confirmation, contact the election authority.
5. If you wish to serve as an election judge on election day please contact your local election authority and mark the box at the bottom of this form.
6. Optional—If registering by mail for the first time, please submit a copy of one of the following forms of identification: current or valid photo ID, current utility bill, bank statement, government check, paycheck **or** other government document that shows your name and address, birth certificate, Native American tribal document or other proof of United States citizenship. (You will be required to present identification when you vote.)

Completing this form (All information is required unless indicated as optional):

Boxes 1 and 2 -- Citizen and Age Requirements
Federal Law requires voter registration applicants to answer these two questions.

Box 3 -- Type of Application
Check appropriate box if this is a new registration or if you are changing a name or address on your current voter registration.

Box 4 -- Name
Put in this box your full name (Last, First, Middle). DO NOT use nicknames or initials. For name changes, Box 12 should contain your old name.

Box 5 -- Home Address
List your home address. DO NOT put your mailing address if it differs from your home address.

Box 6 -- Mailing Address
If you get your mail at an address other than your home address in Box 5, put that address here in this box.

Box 7 -- Driver's License Number
Required for registration unless you do not have a Driver's License. (§115.158, RSMo.) If you do not have a Driver's License, leave blank.

Box 8 -- Last Four Digits of Social Security Number
Required for registration unless you do not have a Social Security Number. (§115.155, RSMo, §115.158, RSMo.) If you do not have a Social Security Number, leave blank.

Box 9 -- Date of Birth
Place your date of birth in this box (Month, Day,Year). DO NOT USE TODAY'S DATE!

Box 10 -- Place of Birth (Optional)
List your place of birth (city/county/state).

Box 11 -- Daytime Phone Number (Optional)
Please list a number at which the election authority may contact you for clarification of information.

Box 12 -- Last Voter Registration Information
If you are currently registered, please list the name and address of your last registration including county and state.

Box 13 -- Signature
Review the information. If you meet the requirements and all is correct, sign your full name or make your mark and print today's date.

Box 14 -- Rural Voters
If you live in a rural area without a street address, please supply information which may help in placing you in the proper voting district.

YOUR APPLICATION WILL BE CONFIRMED BY MAIL WITHIN SEVEN (7) BUSINESS DAYS OF ITS RECEIPT BY THE ELECTION AUTHORITY. PLEASE CONTACT THE ELECTION AUTHORITY IF YOU DO NOT RECEIVE NOTIFICATION.

(DETACH HERE - KEEP TOP PORTION FOR YOUR RECORDS) This card is not proof of registration.

MISSOURI VOTER REGISTRATION APPLICATION

USE PEN - PLEASE PRINT CLEARLY

1	ARE YOU A CITIZEN OF THE UNITED STATES OF AMERICA? ☐ YES ☐ NO	2	WILL YOU BE 18 YEARS OF AGE ON OR BEFORE ELECTION DAY? ☐ YES ☐ NO
	If you checked no in response to either of the above questions, do not complete this form.		
3	☐ NEW REGISTRATION ☐ ADDRESS CHANGE ☐ NAME CHANGE		**FOR OFFICE USE ONLY** REGISTRATION NO.
4	LAST NAME / FIRST NAME / MIDDLE NAME / SUFFIX (JR, II, ETC.)		☐ MALE ☐ FEMALE
5	ADDRESS WHERE YOU LIVE (HOUSE NO., STREET, APT. NO. OR RURAL ROUTE AND BOX - NO PO BOXES)	CITY / COUNTY / ZIP CODE	
6	ADDRESS WHERE YOU GET YOUR MAIL (REQUIRED IF DIFFERENT FROM #5 ABOVE)	CITY / STATE (MO) / ZIP CODE	
7	DRIVER'S LICENSE NUMBER IF YOU DO NOT HAVE A DRIVER'S LICENSE, PLEASE LEAVE BLANK.	8	LAST 4 DIGITS OF SOCIAL SECURITY NUMBER* IF YOU DO NOT HAVE A SOCIAL SECURITY NUMBER, PLEASE LEAVE BLANK.
9	DATE OF BIRTH (MM/DD/YYYY) / /	10	PLACE OF BIRTH (OPTIONAL)
11	DAYTIME PHONE NO. (OPTIONAL)		

12 NAME AND ADDRESS ON LAST VOTER REGISTRATION

NAME _____

ADDRESS _____

CITY _____ STATE _____

COUNTY _____

If currently registered in another state or county please complete this box.

13 I hereby certify that I am a citizen of the United States and a resident of the state of Missouri. I am at least seventeen and one half years of age. I have not been adjudged incapacitated by any court of law. If I have been convicted of a felony or a misdemeanor connected with the right of suffrage, I have had the voting disabilities resulting from such conviction removed pursuant to law. I swear under penalty of perjury that all statements made on this card are true to the best of my knowledge and belief. I understand that if I register to vote knowing that I am not legally entitled to register, I am committing a class one election offense and may be punished by imprisonment of not more than five years or by a fine of between two thousand five hundred dollars and ten thousand dollars or by both such imprisonment and fine.

Date _____ Signature _____

14 RURAL VOTERS: COMPLETE THIS SECTION IF YOU LIVE OUTSIDE THE CITY LIMITS OF ANY CITY.

I live _____ miles _____ (N S E or W) of _____ (landmark or junction).

Section,Township and range _____.

My neighbors are _____.

☐ Check here if you are interested in working as an Election Judge

Warning: Conviction for making a false statement may result in imprisonment for up to five years and/or a fine up to $10,000.

MO 231-0169 (REVISED 04-07) *Required for registration pursuant to §115.155 RSMo and §115.158 RSMo.

Place Postage Here

MO

Adair County Clerk's Office
106 W. Washington, 2nd Floor
Kirksville, MO 63501

FOLD HERE

Mailing Instructions

1. Sign the form.
2. Fold this sheet with address showing.
3. Fold and insert completed voter application.
4. Tape edges.
5. Apply postage.
6. Mail.

TAPE

TAPE

Have you signed the form?

TAPE

SECRETARY OF STATE BARBARA K. CEGAVSKE

Application No.

STATE OF NEVADA
VOTER REGISTRATION APPLICATION

BOX 3 - NAME Please write your name exactly as it appears on your NV driver's license, ID card, or Social Security card referenced in Box 8. If you do not have any of these forms of identification, please see the instructions for Box 8.

BOX 4 - HOME ADDRESS Your home address is the street address assigned to the location at which you actually reside. If you reside at a location that has not been assigned a street address, a description of the location at which you actually reside must be provided. A P.O. Box cannot be listed as a home address.

BOX 8 - IDENTIFICATION REQUIREMENTS Federal and state law require you to provide your NV driver's license or NV ID number. If you do not have either, you must provide the last 4 digits of your social security number (SSN). If you do not have any of these three forms of identification, please contact your County Clerk/Registrar after you have completed and returned this form.

BOX 10 - PARTY REGISTRATION Mark your choice of a qualified party, "Nonpartisan" or "Other." If you mark "Other," you may print the name of an unlisted political party. If you register with a minor political party or as a nonpartisan, you will receive a nonpartisan ballot for the Primary Election.

BOX 13 - ASSISTING IN THE COMPLETION OF THIS FORM If you are assisting a person to register to vote, you must complete Box 13. FAILURE TO DO SO IS A FELONY.

DEADLINES FOR SUBMITTING APPLICATION
* By Mail - postmarked by Saturday, 31 days before an Election.
* In Person at DMV - by Saturday, 31 days before an Election.
* Online - by Tuesday, 21 days before an Election.
* In Person at County Clerk's or Registrar's Office - by Tuesday, 21 days before an Election (for Municipal Elections, in person at City Clerk's).
* For Special/Recall Elections - contact your County Clerk or Registrar.

NOTICE You are urged to return your application to register to vote to the County Clerk/Registrar in person or by mail. If you choose to give your completed application to another person to return to the County Clerk/Registrar on your behalf, and the person fails to deliver the application to the County Clerk/Registrar, you will not be registered to vote. Please print and retain a duplicate copy of this application as a receipt to register to vote.

INTERESTED IN BEING A POLL WORKER? Please contact your local County Clerk or Registrar's Office.

If you do not receive a *NEVADA VOTER REGISTRATION CARD* in the mail within 10 days, please call or visit your County Election Department

☐ **CHECK THIS BOX TO RECEIVE A SAMPLE BALLOT IN LARGER TYPE**

CLICK AND TYPE OR USE BLACK INK - PLEASE PRINT CLEARLY

WARNING: GIVING FALSE INFORMATION IS A FELONY AND INCLUDES A CIVIL PENALTY OF UP TO $20,000.

1 Are you a citizen of the United States of America? ☐ Yes ☐ No
Will you be 18 years of age or over on or before Election Day? ☐ Yes ☐ No
If you checked "no" in response to either of these questions, do not complete this form.

2 Check boxes that apply and complete items 3-13
☐ New Registration ☐ Party Affiliation Change
☐ Name Change ☐ Address Change

3 Last Name (Only) | First Name (Only) | Middle Name (Only) | Jr. Sr. II III IV

4 Home Street Address (No P.O. Box or Business Address. See Instructions) | Apt. # | City | State | Zip Code

5 Mailing Address - If different from above. (P.O. Box or Mail Service Address)

6 Birth Date (M/D/YR)

7 Place of Birth (State or Country)

8 NV Driver's License or NV ID Card Number (If neither, last 4 digits of your SSN)

9 Telephone No. (Optional)

10 Party Registration - Check Only One Box
☐ Democratic Party
☐ Independent American Party
☐ Libertarian Party
☐ Republican Party
☐ Other Party - Write In Below
_____
☐ Nonpartisan (no party affiliation)

11 "I swear or affirm * I am a U.S. citizen * I will be at least 18 years old by the date of the next election * I will have continuously resided in Nevada at least 30 days in my county and at least 10 days in my precinct before the next election * The present address listed herein is my sole legal place of residence and I claim no other place as my legal residence * I am not laboring under any felony conviction or other loss of civil rights that would make it unlawful for me to vote. I declare under penalty of perjury that the foregoing is true and correct."

SIGNATURE OF APPLICANT (REQUIRED) **DATE (REQUIRED)**

(Print Form And Sign In Space Above) (M/D/YR)

12 Your name and residence address where you were last registered to vote. (Name Used, Street, Apt. No., City, State & Zip Code of Former Residence)

13 Important! If you are assisting a person to register to vote and you are not a field registrar appointed by a County Clerk/Registrar or an employee of a voter registration agency, you MUST complete the following. Your signature is required. Failure to do so is a felony.

Name | Mailing Address | City/State/Zip Code | Signature

VALIDATING AGENCY USE ONLY - DO NOT WRITE BELOW THIS LINE

DATE STAMP

☐ Agency
☐ Field Registrar
☐ Mail
☐ Other

CANCELLED _____
INACTIVE _____
PRECINCT _____

APPLICATION NO.

RECEIVED BY:

Voter Registration Application
Revised: 1-5-15

NEVADA COUNTY CLERKS AND REGISTRARS

Mail or deliver your application to the office in the county where you reside.

CARSON CITY CLERK 885 East Musser Street, Suite 1025 Carson City, Nevada 89701-4475 (775) 887-2087	CHURCHILL COUNTY CLERK 155 North Taylor Street, Suite 110 Fallon, Nevada 89406-2763 (775) 423-6028	CLARK COUNTY REGISTRAR 965 Trade Drive, Suite A P.O. Box 3909 Las Vegas, Nevada 89127-3909 (702) 455-VOTE (8683)
DOUGLAS COUNTY CLERK 1616 8th Street, 2nd Floor P.O. Box 218 Minden, Nevada 89423-0218 (775) 782-9023	ELKO COUNTY CLERK 550 Court Street, 3rd Floor Elko, Nevada 89801-3700 (775) 753-4600	ESMERALDA COUNTY CLERK Corner of Crook & Euclid P.O. Box 547 Goldfield, Nevada 89013-0547 (775) 485-6367
EUREKA COUNTY CLERK County Courthouse, Main Street P.O. Box 677 Eureka, Nevada 89316-0677 (775) 237-5262	HUMBOLDT COUNTY CLERK 50 W. Fifth Street, Suite 207 Winnemucca, Nevada 89445-3199 (775) 623-6343	LANDER COUNTY CLERK 315 S. Humboldt Street Battle Mountain, Nevada 89820-9998 (775) 635-5738
LINCOLN COUNTY CLERK 181 North Main Street, Suite 201 P.O. Box 90 Pioche, Nevada 89043-0090 (775) 962-8000	LYON COUNTY CLERK 27 South Main Street Yerington, Nevada 89447-2571 (775) 463-6501	MINERAL COUNTY CLERK 105 South "A" Street, Suite 1 P.O. Box 1450 Hawthorne, Nevada 89415-0400 (775) 945-2446
NYE COUNTY CLERK 101 Radar Road P.O. Box 1031 Tonopah, Nevada 89049-1031 (775) 482-8127	PERSHING COUNTY CLERK 398 Main Street P.O. Box 820 Lovelock, Nevada 89419-0820 (775) 273-2208	STOREY COUNTY CLERK 26 South "B" Street Drawer "D" Virginia City, Nevada 89440-0139 (775) 847-0969
WASHOE COUNTY REGISTRAR 1001 East Ninth Street, Room A135 P.O. Box 11130 Reno, Nevada 89520 (775) 328-3670	WHITE PINE COUNTY CLERK 801 Clark Street, #4 Ely, Nevada 89301-1994 (775) 293-6509	

Revised: 1-5-15

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EXHIBIT 9

Alabama House Approves List of Crimes Forfeit Voting Rights

Lawmakers are attempting to define what criminal convictions should disqualify a person from voting.

March 9, 2017, at 6:21 p.m.

AP

MONTGOMERY, Ala. (AP) — The Alabama House agreed Thursday on a list of crimes that qualify as "moral turpitude," meaning anyone convicted of such a felony offense will lose the right to vote.

The House of Representatives unanimously approved a bill naming 42 felonies, from murder to forgery, as crimes of moral turpitude. The bill now moves to the Alabama Senate.

The 1901 Alabama Constitution says people convicted of crimes involving "moral turpitude" are no longer able to vote, but didn't define the term nor list any crimes meeting the definition. Politicians have disagreed through the years about which crimes qualify.

Merriam-Webster's dictionary defines "moral turpitude" as "an act or behavior that gravely violates the sentiment or accepted standard of the community."

In 2008, the governor and attorney general gave state officials conflicting lists of felony convictions that bar a person from voting.

Republican Rep. Mike Jones, the bill's sponsor, described the bill as a compromise that will end the confusion.

Rep. John Knight, a Democrat from Montgomery, said the bill is a step in the right direction and he and other Democrats would vote for it, but he remains concerned about people being permanently stripped of their voting rights. He said the provision was put in the Constitution to prevent African-Americans from voting, and said it should be repealed completely.

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Casey Leins | June 6, 2017

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July 14, 2017

#5 Washington

See Rankings List

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Two adults have been found dead after a Tennessee house exploded.

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July 14, 2017

A man shot near a highway connector in Columbia, Missouri, has died.

Tennessee Hospitals Group Opposes GOP Health Bill Rewrite

July 14, 2017

Tennessee's lobby group for hospitals says the rewritten Republican health care bill in Congress doesn't have the best interests of Tennesseans or hospitals at heart.



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July 14, 2017

Indiana Sen. Joe Donnelly says he's selling his stock in a family business that relies on Mexican labor to produce dye for ink pads.

Donnelly Selling Stock in Family Company Using Mexican Labor

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Donnelly Selling Stock in Family Company Using Mexican Labor

July 14, 2017

Indiana Sen. Joe Donnelly says he's selling his stock in a family business that relies on Mexican labor to produce dye for ink pads.

West Virginia Man Sentenced up to 30 Years in Fatal Shooting

July 14, 2017

A West Virginia man has been sentenced to at most 30 years in prison involving the fatal shooting of his niece's boyfriend.

Snyder Signs $56.5 Billion Michigan Budget

July 14, 2017



Gov. Rick Snyder has signed a $56.5 billion budget, capping months of work with lawmakers on the state's next spending plan.

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New Alabama Law Clarifies “Crimes Of Moral Turpitude”

By **Doug Chapin** May 25, 2017



[Image via fhwa]

Alabama's Governor has signed a bill that clarifies which felony convictions involve "crimes of moral turpitude" and thus result in loss of voting rights. WSFA-TV has more:

> *Governor Kay Ivey signed a bill [HB282] into law Wednesday that clears up confusion for some 250,000 Alabamians who currently can't vote due to a felony conviction.*
>
> *There's now a list that clearly defines which felonies prohibit someone from the ballot box for life. For others, this bill could restore their voting rights, but just how many remains unclear.*
>
> *If you've been convicted of a crime, the Southern Poverty Law Center breaks it down like this: your voting rights fall into one of three categories.*
>
> *The first, you're permanently disenfranchised. This includes people with murder or rape convictions. The third category is for those with misdemeanors who never lost the right to vote, but the middle category, the one the law deals with, is for those who have been convicted of a felony, but there's a grey area surrounding their voting rights.*
>
> *The constitution says you can lose your right to vote if you're convicted of a felony involving moral turpitude.*
>
> *"Because there was no codified list or state law that said these are the crime for which you lose your right to vote, there was arbitrary application among the different registrar's office," said Shay Farley, Policy Council, Southern Poverty Law Center [SPLC].*
>
> *Meaning up until this point, a felon's right to vote varied county by county.*

This is an issue that has popped up in other states as well; in 2016, I wrote about a dispute over Iowa's policy of disenfranchising voters for "infamous" crimes and noted the challenge policymakers and courts face in determining how and where to draw the line between which crimes affect the right to vote. Alabama's law does just that.

There is, however, some disagreement on the impact of the new law:

> *The SPLC says statistics show 15 percent of Alabama's population can't vote due to a felony record.*
>
> *"We're estimating that it will impact a few thousand people," said Farley.*

But Secretary of State John Merrill disagrees.

"That's like when people tell me that there's thousands and thousands of people being disenfranchised by the photo ID component which that's not true and it's not true that there's thousands and thousands of people that are going to be affected by this legislation," said Merrill.

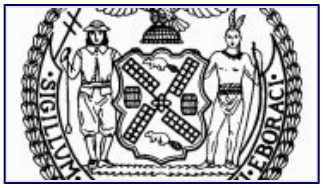
The SPLC points out the majority of Alabamians with a felony record are African American and there are very few white-collar crimes on this list so no fraud or public corruption charges listed.

Whatever the impact on the state's voting population (a number that should emerge as the law takes effect) this is a step forward for local election officials across Alabama. A clear list of which laws result in disenfranchisement will reduce some of the guesswork and discretion involved in the process. I have little doubt this will get even more attention in the weeks and months to come as the law begins to take effect. Stay tuned ...

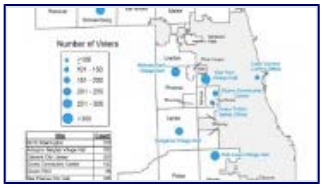
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New State law restores voting rights to some convicted felons

Jul 13, 2017 0

A new Alabama law signed in May will restore thousands of convicted felons' right to vote.

"The new law lists 47 offenses," said Artur Davis, the executive director of the Legal Services Alabama. "Before, if you looked around the state of Alabama, there were literally hundreds of offenses that somebody was treating as a kind of moral turpitude."

Alabama's Constitution states that individuals convicted of crimes of moral turpitude cannot vote, but it's unclear what constitutes a crime of moral turpitude.

That is left up to the county registrars to decide, however, this new law provides a clear definition of what is and what isn't a crime of moral turpitude.

"The new law outlines what crimes are crimes of moral turpitude," said Randall Marshall, the executive director for the American Civil Liberties Union of Alabama. "If you look at that list and your conviction was not one of those you can go down to your registrar, register to vote, and cast your vote."

According to Marshall, moral turpitude consists of offenses that "impugn the moral character of

someone."

Those who commit crimes such as murder, rape, sexual abuse, or any other heinous act will still be banned from voting.

Those who have been convicted of a lesser crime such as common driving offenses, receiving stolen property, or drug possession, can still vote. According to Marshall, they can continue to vote while in prison.

"One can continue to vote even while in jail or on parole if they were convicted of a crime that's not on the list," said Marshall.

Training sessions will be held to discuss this new law and how Alabamians can win back their rights to vote.

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'Restoration clinics' to help felons register to vote under new Alabama law

17

Updated on July 11, 2017 at 11:07 AM, Posted on July 11, 2017 at 10:46 AM







7

Gallery: Selma voting event

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By **Connor Sheets**, csheets@al.com

In March 1965, Brown Chapel A.M.E. Church in Selma served as the starting line of the two famous marches toward Montgomery that propelled the voting rights movement into the national consciousness.

Four months later, President Lyndon B. Johnson signed the Voting Rights Act of 1965 into law, ushering in a new era of increased access to the polls for African-Americans and other minorities across the South and beyond.

On Saturday, a new voting rights effort kicked off inside that historic church, where Dr. Martin Luther King, Jr. once spoke and Selma marchers nursed their wounds after being beaten by state troopers near the Edmund Pettus Bridge 52 years ago.

The fledgling endeavor is aimed at spreading the word that a new state law passed by the legislature and signed by Gov. Kay Ivey in May granted thousands of convicted felons across Alabama the right to register - or re-register - to vote.

Two advocacy groups are co-hosting a series of "restoration clinics" across the state aimed at getting as many disenfranchised felons as possible back on the voting rolls. The nuts and bolts of those clinics, which are being organized by Legal Services Alabama (LSA) and the Alabama chapter of the American Civil Liberties Union (ACLU), were a major topic of discussion at the Saturday workshop in Selma.

"We hope to take some people in this state who don't have power and empower them," Artur Davis, executive director of LSA, a federally-funded program that provides legal assistance to low-income people in the state, said at the event.

"We now have a law which will allow - we don't know the number - thousands of people, tens of thousands of people, to fully walk in the bright of day as fully fledged American citizens."

Significant obstacles

While voting rights are protected under law for Americans of all races, genders and faiths, in a number of states including Alabama there remain significant obstacles to voting for a large population: people who have been convicted of felonies.

Alabama's constitution has long barred many felons from voting, as it states that once someone is convicted of a crime of "moral turpitude" they lose the right to vote.

For years prior to the law's passing, individual county's boards of registrars were left to determine which felonies they considered crimes of moral turpitude. That led to situations in which a felon might be able to vote in one county, but would then lose that ability if he or she moved elsewhere in the state.

Under the new law, any Alabama resident who has only been convicted of crimes that are not considered crimes of "moral turpitude" - the legislation lists 46 such types of felony convictions that disqualify Alabamians from voting - is now eligible to

register to vote.

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Though the law is now on the books, state Secretary of State John Merrill told the Huffington Post last month that the state does not plan to "spend state resources" to inform convicted felons about its impacts.

The Campaign Legal Center, a Washington, D.C.-based voting rights advocacy organization, has requested that a federal judge compel the state to inform previously disenfranchised felons who are eligible to regain the right to vote under the new law of that fact, the Associated Press reported last week. A federal court hearing to consider the organization's request is scheduled for July 25.

'Restoration clinics'

In the meantime, the LSA and the Alabama branch of the ACLU are teaming up to host "restoration clinics" across the state.

The series of clinics will offer felons the opportunity to first determine if they are now eligible to register to vote by verifying their criminal histories and comparing their convictions to the list of crimes identified in the new law, called the "Definition of Moral Turpitude Act."

If they are found to not have any disqualifying felonies, the volunteers and professionals working at the clinics will then help them register to vote.

Jonathan Barry-Blocker, a staff attorney at the LSA, laid out a detailed game plan for the clinics. The advocacy organizations share the goal of "having as many people regain the right to vote" as possible, he said at the Saturday event.

"Someone might come to you and say, 'I think I was convicted of sexual battery' - a.k.a. rape - but they were only actually convicted of exposure of genitalia, which does not disqualify them," Barry-Blocker explained. "You need to figure that out."

Before the clinics begin later this month, the LSA and ACLU Alabama are undertaking a statewide awareness campaign to get the word out to as many convicted felons as possible.

Radio ads featuring local legislators and other leaders describing the clinics and inviting people to attend them will run in cities from Birmingham to Dothan in the coming weeks, Davis said. And those who attended the workshop in Selma were encouraged to spread the word via social media, word of mouth and any other available avenues.

Brent Beal, an attorney with state Secretary of State John Merrill's office, spoke on Merrill's behalf at the Selma event. Merrill was instrumental in getting the moral turpitude clarifications passed into law.

"I'm a believer that just like the march from here to Montgomery, you get there in steps," Beal said. "This is a great step toward Montgomery because this sets a list of moral turpitude crimes."

VIEW COMMENTS

REAL-TIME NEWS FROM AL.COM

Rise in donated breast milk raises questions of fairness across Alabama

2

Updated on July 19, 2017 at 8:11 AM, Posted on July 19, 2017 at 8:11 AM



Bottles of donate breast milk at the Mothers' Milk Bank of Alabama have been pasteurized and screened, and are ready for dispensing to hospitals. (Anna Claire Vollers | avollers@AL.com)

1
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By Anna Claire Vollers, avollers@al.com

In the past few years, the use of donated breast milk in hospitals has skyrocketed across the country. Alabama is no exception.

The nonprofit Mothers' Milk Bank of Alabama, which opened in November 2015, accepts donated breast milk, screens it, pasteurizes it and packages it to dispense to hospitals for a processing fee that helps defray costs.

Many hospitals use it for critically ill and premature babies who aren't able to breastfeed.

Yet Medicaid and private insurance don't cover donor milk in Alabama, so hospitals have to budget for it. At a time when smaller and rural hospitals are struggling to stay open, donor milk for their babies can be an unaffordable luxury.

So as the milk pours in, proponents of donor milk are trying to answer a simple question: Who is entitled to the milk?

"Who gets donor milk should never depend on what zip code you're born into," said Naomi Bar-Yam, president of the board of the Human Milk Banking Association of North America, which oversees the MMBA and milk banks nationwide.

"That's not acceptable."

Surpassing expectations

A week after a difficult birth, Rachel Moody learned that her newborn daughter was only getting about 1 milliliter of breast milk whenever she breastfed. She should have been getting nearly 60 milliliters.

Her doctors at Brookwood Baptist Medical Center in Birmingham offered her donor milk - donated breast milk that has been screened and pasteurized - instead of formula.

Most national and international medical organizations have come out in favor of breast milk over formula for infants, citing studies showing it helps prevent digestive and respiratory diseases, and may help lessen the risk of sudden infant death syndrome and obesity. When maternal milk isn't available, the American Academy of Pediatrics and the World Health Organization have recommended that donated breast milk be given to babies.

In 2016, Alabama's newly-opened milk bank dispensed 16,000 ounces of donor milk. The bank has already surpassed that this year, dispensing more than 21,000 ounces in the first half of 2017.

The incoming milk donations have surpassed expectations, said Kristina Habchi, program director at the milk bank.

"It's relatively new for us to have a steady supply, which we're really excited about and happy to have," said Habchi. The bank has received 39,000 ounces of donated milk so far this year, and is working to process it all. That number doesn't include frozen milk currently being held by milk "depots" - donation sites throughout the state.

But even with all this milk coming in, not all Alabama babies have the option of receiving it.

The bulk of it goes to about 15 hospitals statewide, plus a couple out of state. As supply has grown, the Alabama milk bank has worked to increase its number of participating hospitals.

But they remain limited to the hospitals that can afford it. These are hospitals that are larger or wealthier, mostly in the state's urban centers.

How it works

Mothers who have an oversupply of breast milk can complete a screening process and blood test, and then donate their excess milk at one of 12 milk depots in Alabama or Georgia that will be sent to the MMBA.

The milk is logged and stored at the Mother's Milk Bank of Alabama - which is housed inside the Community Food Bank in Birmingham - until processing. Then it's combined with other milk, pasteurized, and sent off for bacterial testing at the Human Milk Banking Association of North America in Texas. Then it returns to the milk bank before being dispensed to hospitals.



A lab technician and a volunteer pool donated breast milk at the Mothers' Milk Bank of Alabama in July 2017. The milk will be pasteurized and screened before being dispensed to Alabama hospitals. (Anna Claire Vollers | avollers@AL.com) (Anna Claire Vollers | avollers@al.com)

The milk bank is a nonprofit, and sells the milk to hospitals for about $4.40 per ounce, a fee that covers screening and processing costs. There is no cost to breastmilk donors; the bank has about 100 active donors from Alabama, Georgia and Tennessee.

The milk bank has dispensed milk to 17 hospitals so far, including hospitals in Birmingham, Huntsville, Mobile, Tuscaloosa and Montgomery.

The milk bank's website indicates that the donated milk goes primarily to critically ill and premature babies. The organization requires that milk be given out at hospitals based on doctor prescription, said Habchi.

But the bank has little control over how hospitals use the milk once it's dispensed, and uses can vary widely.

For example, when moms can't produce enough milk, Huntsville Hospital offers donor milk for its very low birth weight infants in the neonatal intensive care unit. At Brookwood in Birmingham - the largest purchaser of milk from the Mother's Milk Bank of Alabama - milk is also offered to well babies outside the intensive care unit whose mothers have problems with milk production.

That's standard across the country, said Bar-Yam, who is also the executive director of the Mothers' Milk Bank Northeast in Boston.

"Once we send it to hospitals, it's their decision who gets it," said Bar-Yam. "We don't have any control over what hospitals do. We are a vendor and send the hospitals a product. And I wouldn't want to (regulate usage). Doctors know the situations of their babies better than I do."

Who gets the milk?

Hospitals have their own set of considerations, including cost and patient population, to decide who gets the milk, Bar-Yam said.

But she has seen more and more hospitals using milk on bigger babies. It all depends on priorities and available funds.



Photos of families that have donated breast milk to the Mothers' Milk Bank of Alabama line the wall outside the lab. (Anna Claire Vollers | avollers@AL.com) (Anna Claire Vollers | avollers@al.com)

In Alabama, Medicaid covers more than half of all births in the state. The flat fee that Medicaid pays a hospital for a birth

covers all medicine and supplies associated with that birth, which can include formula.

"Right now there are no insurances in Alabama that cover donor human milk, so hospitals have to take it as a loss," said Habchi. "The reason Brookwood and private hospitals can afford it is because it's factored in their budget."

Other hospitals, particularly those that treat critically ill infants, could use the milk but don't have the funds for it, she said.

Rise in popularity

In 2011 there were 10 human milk banks around the country. Now there are 26. And supply is more than keeping up with demand.

The Human Milk Banking Association of North Alabama did an internal study and found that its 26 affiliated banks have no shortage of donated milk. Last year, those banks dispensed more than 5 million ounces of milk, a 110 percent growth over the past four years.

Some of the growth is related to consumer demand, possibly the result of more published research that identifies the benefits of breast milk over formula, Bar-Yam said.

"My guess is that general concerns about pharmaceuticals is probably playing some role in this," she said. "We've gone from the 1950s (idea of) better living through chemistry to people discovering that things we've known about for millennia, like breastfeeding, do make a difference."

The Joint Commission, which accredits hospitals, now requires hospitals to track the percentage of babies that are fed breast milk only - and donor milk counts. Some hospitals may be using donor milk as a way to improve their statistics on that front.

The Surgeon General of the United States issued a call to action in 2014 that recommended hospitals promote breastfeeding. Those guidelines have led more hospitals to seek out the Baby-Friendly designation, an initiative of the World Health Organization aimed at promoting breastfeeding.

Hospitals with the Baby-Friendly designation must purchase formula at fair market price, removing the incentive to use formula as a cheaper option.



The Mothers' Milk Bank of Alabama collects, pasteurizes, screens and processes donated breast milk, which is then dispensed to hospitals and offered to babies whose mothers have trouble producing enough breast milk. (Anna Claire Vollers | avollers@AL.com) (Anna Claire Vollers | avollers@al.com)

Safety nets

The lack of availability of donor milk for sick babies in rural and smaller hospitals is a problem that needs addressing nationally, said Bar-Yam.

Alabama has 48 hospitals that offer obstetrical services, but only 15 have used donor milk through the Alabama milk bank. While Medicaid does cover donor milk in some states, it does not in Alabama, and neither do any insurance providers in the state. There are no federal regulations or Alabama laws that govern the use of donor milk.

National efforts at improving the availability of donor milk are focused on identifying safety-net hospitals - those with high percentages of Medicaid and uninsured patients - and providing education about the benefits of donor milk.

Bar-Yam said the use of donor milk could save hospitals money in the long run. Breastmilk has been shown to considerably reduce the risk of necrotizing enterocolitis, a gut infection that mainly affects premature babies and has a high mortality

rate. Treatment can require expensive abdominal surgery.

"A hospital can purchase a huge amount of donor milk for one case of NEC that is prevented," she said.

Habchi said she hopes that as the milk bank continues to expand in Alabama, more resources will be available to pursue grants that could fund outreach and advocacy, and ultimately bring donor milk to more Alabama hospitals.

"Alabama has one of the lower breastfeeding rates in the nation, while having one of the highest infant mortality rates in the nation," she said. "Those two correlate."

VIEW COMMENTS

REAL-TIME NEWS FROM BIRMINGHAM

Authorities ID man shot, killed in confrontation with Jeffco deputies

2

Updated on July 19, 2017 at 8:12 AM, Posted on July 19, 2017 at 8:01 AM

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By Carol Robinson, crobinson@al.com

Authorities this morning released the name of a man shot to death during a confrontation with Jefferson County sheriff's deputies

The Jefferson County Coroner's Office identified the man as Daniel Thomas Reid. He was a 32-year-old white male who lived at the home where the shooting took place.

Sheriff's Chief Deputy Randy Christian said Tuesday night deputies received a call from a landlord who owned property in the 6300 block of Clay Palmerdale Road shortly after a 6 p.m. about a man who was allegedly harassing neighbors and threatening them with a gun. After talking to the neighbors, deputies attempted to talk to the suspect. Christian said the man - now identified as Reid - immediately became combative.

Deputies were told the man had a loaded gun, but they were not sure if it was on him or inside the home. As deputies tried to keep him from going into the house, Christian said the suspect, who is described as a large man, tried to fight deputies.



Clay suspect combative in deputy involved shooting

The Jefferson County Sheriff's Office said the suspect was Tased and shot twice before he was shot a third time as the suspect tried to fight the deputies.

Reid was Tased twice, but was undeterred. He then pulled the prongs off his body and wrestled a Taser away from a deputy. Reid Tased a deputy, who then fired two shots at the suspect.

Reid fell to the ground, but Christian said he got back up and started to advance at deputies again. He was shot a third time, which was the fatal shot.

"Had our deputies hesitated from everything that I looked at and heard, we certainly would be talking about much more than one person killed," he said. "If you can wrestle a Taser from an deputy, you sure can wrestle a gun...the officers protected themselves as they should have."

Coroner's officials said Reid was shot at 6:30 p.m. and pronounced dead at 7:08 p.m.

The Alabama Law Enforcement Agency is investigating, as is standard procedure with all officer-involved shootings.

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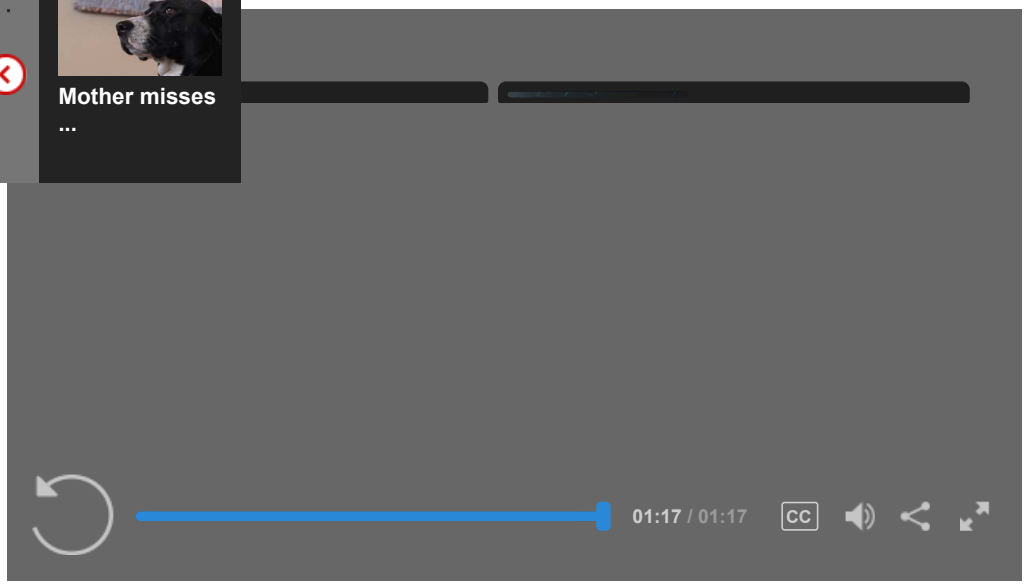
Guest editorial: Felons and voting

Published: Tuesday, July 11th 2017, 6:00 pm CDT
Updated: Tuesday, July 11th 2017, 11:59 am CDT

ONNECT

Mother misses ...

Atypical Mad Cow ...





(Source: WSFA 12 News)

MONTGOMERY, AL (WSFA) - A law passed in May by the Alabama Legislature is about to go into effect that will give thousands of convicted felons in the state the right to vote.

This does not include those convicted of the severest felonies, such as murder, kidnapping, rape and other sexual offenses, terrorism, and the worst of theft and drug related crimes, in general.

Before this law, county voting registrars could decide if an ex-felon's crime constituted moral turpitude, therefore preventing them from registering to vote. That was arbitrary. Now the law defines that list of crimes.

Some people commit crimes that should cost them their right to help elect our government.

But some people just make bad decisions, they get caught, they go to jail, they pay their debt, but their crimes shouldn't keep them from voting. In fact, it should be part their rehabilitation.

I urge those who are now allowed to vote under this new law, to register and do so.

The right to vote is elemental to citizenship, and should be exercised by as many people as possible, even those convicted of some felonies.

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State officials, activists at odds over who's responsible for ex-felon vote



Alabama Secretary of State John Merrill came to the Anniston City Meeting Center to speak to a group of law enforcement officers. (Keith Huffman/The Anniston Star)

Cameron Kiszla ckiszla@annistonstar.com Jul 10, 2017 (0)

Some Alabamians who lost their right to vote because of a felony conviction might soon regain that right under a new law that specifies the crimes that would prohibit one from being able to vote. Some officials are at odds, however, over who's responsible for registering those potential voters.

Before the bill passed, people could lose their right to vote when they were convicted of a felony that state law defined as one of "moral turpitude."

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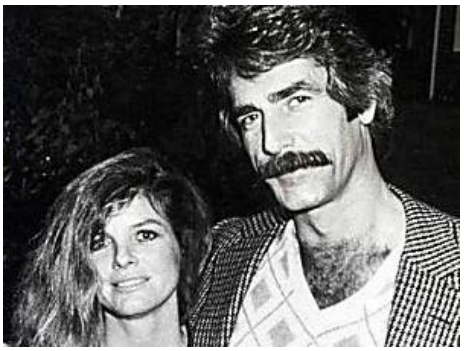
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Kenny Glasgow campaigns for restoration of felons' voting rights

Jim Cook
jcook@dothaneagle.com Jul 8, 2017 (4)

PREV NEXT



Kenny Glasgow poses for a photo inside of the WKCG radio station Friday morning. Glasgow has supported legislation that gives boards of registrars and judges more guidance in the restoration of ex-felons' voting rights.

JAY HARE / DOTHAN EAGLE

Sixteen years ago, Kenny Glasgow's mother had to pawn her car to keep her son, who had recently been released from prison, from going back to jail for unpaid court-ordered fines.

No one else wanted to help, because they all believed Glasgow — who had been in and out of prison on drug charges and finally a robbery charge — would soon find himself back behind bars.

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Last month, Glasgow, 52, saw the Alabama Legislature pass a law supporting a cause he had spent those last 16 years championing. The new law restored voting rights to many former felons and allowed incarcerated men and women with the exception of those convicted of a specific list of serious crimes the ability to vote.

The man who no one except his mother believed in played a significant part in changing the law and extended voting rights to many Alabamians.

Glasgow, the half-brother of civil rights activist Al Sharpton, minces no words about his past and how he overcame it. Glasgow said he fell into drug addiction because of despair about his circumstances and quickly turned to crime to feed his drug habit. He did time for drug offenses, was released and later was sent to prison in Florida for robbery.

While in prison, Glasgow turned to religion and converted to Islam for a time. Glasgow was a leader among his fellow prisoners and had success in getting disparate ethnic and religious groups to get along. Glasgow said he was a little too successful for the comfort of prison administrators. Convinced he was planning a revolt, Glasgow said they tossed him into solitary confinement.

“They threw me in there with nothing but a Bible,” he said. “The first time, I read it for four months. Then I read it a second time for two months. The third time … I’ve been reading it ever since.”

Upon release, Glasgow brought The Ordinary People Society, a ministry he founded in prison, out into the world. Glasgow admits that staying on the straight and narrow isn’t easy, and that a lapse in discipline could easily send him spiraling back to where he was. Glasgow said the closest he’s come to falling back into old habits came when he was subjected to personal attacks online a few years ago.

“You’ve got to have a support group,” he said. “You’ve got to have people holding you up.”

Shortly after being released from prison, Glasgow attempted to register to vote and was denied. He then went through a lengthy process to have his voting rights restored. When he finally got his rights restored, Glasgow wore the document restoring his rights around his neck for a time.

“People thought I was crazy,” he said. “…But having voting rights helps change people’s mentality. If they’re treated like citizens, they’ll begin acting like citizens.”

Glasgow’s struggle inspired him to seek voting rights for former felons. A debate with former Alabama Attorney General Troy King planted the seed that expanded his crusade to obtaining voting rights for men and women in prison as well.

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“He said, ‘I guess you’ll want to talk about moral turpitude, next,’” Glasgow said. “I didn’t know what he was talking about.”

Glasgow and some other advocates researched the matter and found that language barring voting for felons convicted of crimes involving moral turpitude was the primary obstacle to felons' voting rights. There was no legal definition of the term, and many decision makers had taken a broad approach to interpreting the language.

About a decade ago, Glasgow sued the state to allow him to register inmates to vote. Glasgow settled the suit, and was allowed access to inmates in Alabama prisons to register them to vote. The language concerning moral turpitude remained unclear, and Glasgow said he faced many hurdles in the task of registering inmates to vote. Glasgow did single out the City of Dothan for praise, saying that in the time since the lawsuit, the city had done well in complying with the settlement.

“Dothan is the model city for allowing inmates access to the ballot,” he said.

On May 17, the Alabama Legislature passed a law that restoring the rights of many former and currently serving felons to vote. The law more narrowly defines a provision barring prisoners convicted of offenses involving “moral turpitude” from voting. In the past, governors and attorney generals had classified hundreds of crimes as involving moral turpitude. The new law applies the term to just around 50 of the most serious offenses.

The legislation was the product of bi-partisan research and debate that also involved other advocacy groups. Some legislators who voted for the bill said they favored adding specificity to crimes involving moral turpitude instead of leaving the matter to boards of registrars and judges who may define the term differently. Some legislators believe the bill will keep some felons off voter rolls who may have otherwise received voting rights due to a lenient interpretation of moral turpitude.

Glasgow praised Alabama Secretary of State John Merrill for shepherding the process.

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“He did it because it was the right thing to do,” he said.

The legislation could have an impact on races around the state. Former felons live all over the state and under the new law currently incarcerated inmates’ votes will be counted in their counties of residence, not in the county where they are locked up.

It’s hard to tell how many people will end up voting because of the new law. Glasgow said inmate voting could have a big impact in two upcoming municipal races.

“I can see it having a big impact in District 1 and District 2,” he said. “It’s the unseen giant.”

Tags Kenny Glasgow Law Politics Criminal Law Legislation Crime Inmate Voting Right Felon Vote Prison



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New AL law restores convicted felons' right to vote

Kenny Rogers announces ...

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Artur Davis, executive director of Legal Services Alabama. (Source: WSFA 12 News)

SELMA, AL (WSFA) - A new Alabama law signed in May will restore thousands of convicted felons' right to vote.

"The new law lists 47 offenses," said Artur Davis, the executive director of the Legal Services Alabama. "Before, if you looked around the state of Alabama, there were literally hundreds of offenses that somebody was treating as a kind of moral turpitude."

Alabama's Constitution states that individuals convicted of crimes of moral turpitude cannot vote, but it's unclear what constitutes a crime of moral turpitude.

That is left up to the county registrars to decide, however, this new law provides a clear definition of what is and what isn't a crime of moral turpitude.

"The new law outlines what crimes are crimes of moral turpitude," said Randall Marshall, the executive director for the American Civil Liberties Union of Alabama. "If you look at that list and your conviction was not one of those you can go down to your registrar, register to vote, and cast your vote."

According to Marshall, moral turpitude consists of offenses that "impugn the moral character of someone."

Those who commit crimes such as murder, rape, sexual abuse, or any other heinous act will still be banned from voting.

Those who have been convicted of a lesser crime such as common driving offenses, receiving stolen property, or drug possession, can still vote. According to Marshall, they can continue to vote while in prison.

"One can continue to vote even while in jail or on parole if they were convicted of a crime that's not on the list," said Marshall.

Training sessions will be held to discuss this new law and how Alabamians can win back their rights to vote.

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oter Restoration Campaign Kicks Off in elma

Posted: Jul 7, 2017 7:51 PM CDT
by George McDonald



From the West Alabama Newsroom–

A new Alabama law signed in May could restore the voting rights of thousands of convicted felons across the state.

A new voting rights campaign is set to kick off Saturday in Selma at Historic Brown Chapel AME Church.

Legal Services Alabama and ACLU of Alabama are hosting training sessions at the church for people interested in helping convicted felons regain their voting rights.

“The first thing is I would just recommend which I think its going to be the message for everyone, just go register to vote and from there they will let you know if your name is on a list that you need to take another step in the process to get your rights restored,” said Legal Services Alabama Managing Attorney Felecia Pettway.

Pettway says Legal Services and the ACLU will be available to assist convicted felons with any legal issues that may arise in their voter restoration process.

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Voting rights group wants state to notify citizens of restored right to vote

By Kayla D. Gladney

Published: July 7, 2017, 9:00 am | Updated: July 7, 2017, 9:02 am

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(WIAT) — A voting rights group is asking a federal judge to force Alabama to tell people that they could be eligible to

vote after previously being disqualified for a felony conviction.

Governor Kay Ivey signed the Definition of Moral Turpitude Act, which defines which felony convictions could disenfranchise citizens. Before the bill, only a few felonies were listed as crimes of moral turpitude. Crimes that were not listed were often left up to differing interpretations across county lines.

RELATED: New law restores some felons' right to vote in Alabama

The Campaign Legal Center says the new law could restore voting rights to thousands of voters.

U.S. District Judge W. Keith Watkins has set a hearing for July 25th.

Alabama Secretary of State John Merrill supported the legislation.

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REAL-TIME NEWS FROM AL.COM

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

Posted on June 29, 2017 at 8:17 AM



Convicted Felons are Being Registered to Vote in Alabama Jails and Prisons

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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.

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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)

VIEW COMMENTS

REAL-TIME NEWS FROM AL.COM

Rise in donated breast milk raises questions of fairness across Alabama

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Updated on July 19, 2017 at 8:11 AM, Posted on July 19, 2017 at 8:11 AM



Bottles of donate breast milk at the Mothers' Milk Bank of Alabama have been pasteurized and screened, and are ready for dispensing to hospitals. (Anna Claire Vollers | avollers@AL.com)

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By Anna Claire Vollers, avollers@al.com

In the past few years, the use of donated breast milk in hospitals has skyrocketed across the country. Alabama is no exception.

The nonprofit Mothers' Milk Bank of Alabama, which opened in November 2015, accepts donated breast milk, screens it, pasteurizes it and packages it to dispense to hospitals for a processing fee that helps defray costs.

Many hospitals use it for critically ill and premature babies who aren't able to breastfeed.

Yet Medicaid and private insurance don't cover donor milk in Alabama, so hospitals have to budget for it. At a time when smaller and rural hospitals are struggling to stay open, donor milk for their babies can be an unaffordable luxury.

So as the milk pours in, proponents of donor milk are trying to answer a simple question: Who is entitled to the milk?

"Who gets donor milk should never depend on what zip code you're born into," said Naomi Bar-Yam, president of the board of the Human Milk Banking Association of North America, which oversees the MMBA and milk banks nationwide.

"That's not acceptable."

Surpassing expectations

A week after a difficult birth, Rachel Moody learned that her newborn daughter was only getting about 1 milliliter of breast milk whenever she breastfed. She should have been getting nearly 60 milliliters.

Her doctors at Brookwood Baptist Medical Center in Birmingham offered her donor milk - donated breast milk that has been screened and pasteurized - instead of formula.

Most national and international medical organizations have come out in favor of breast milk over formula for infants, citing studies showing it helps prevent digestive and respiratory diseases, and may help lessen the risk of sudden infant death syndrome and obesity. When maternal milk isn't available, the American Academy of Pediatrics and the World Health Organization have recommended that donated breast milk be given to babies.

In 2016, Alabama's newly-opened milk bank dispensed 16,000 ounces of donor milk. The bank has already surpassed that this year, dispensing more than 21,000 ounces in the first half of 2017.

The incoming milk donations have surpassed expectations, said Kristina Habchi, program director at the milk bank.

"It's relatively new for us to have a steady supply, which we're really excited about and happy to have," said Habchi. The bank has received 39,000 ounces of donated milk so far this year, and is working to process it all. That number doesn't include frozen milk currently being held by milk "depots" - donation sites throughout the state.

But even with all this milk coming in, not all Alabama babies have the option of receiving it.

The bulk of it goes to about 15 hospitals statewide, plus a couple out of state. As supply has grown, the Alabama milk bank has worked to increase its number of participating hospitals.

But they remain limited to the hospitals that can afford it. These are hospitals that are larger or wealthier, mostly in the state's urban centers.

How it works

Mothers who have an oversupply of breast milk can complete a screening process and blood test, and then donate their excess milk at one of 12 milk depots in Alabama or Georgia that will be sent to the MMBA.

The milk is logged and stored at the Mother's Milk Bank of Alabama - which is housed inside the Community Food Bank in Birmingham - until processing. Then it's combined with other milk, pasteurized, and sent off for bacterial testing at the Human Milk Banking Association of North America in Texas. Then it returns to the milk bank before being dispensed to hospitals.



A lab technician and a volunteer pool donated breast milk at the Mothers' Milk Bank of Alabama in July 2017. The milk will be pasteurized and screened before being dispensed to Alabama hospitals. (Anna Claire Vollers | avollers@AL.com) (Anna Claire Vollers | avollers@al.com)

The milk bank is a nonprofit, and sells the milk to hospitals for about $4.40 per ounce, a fee that covers screening and processing costs. There is no cost to breastmilk donors; the bank has about 100 active donors from Alabama, Georgia and Tennessee.

The milk bank has dispensed milk to 17 hospitals so far, including hospitals in Birmingham, Huntsville, Mobile, Tuscaloosa and Montgomery.

The milk bank's website indicates that the donated milk goes primarily to critically ill and premature babies. The organization requires that milk be given out at hospitals based on doctor prescription, said Habchi.

But the bank has little control over how hospitals use the milk once it's dispensed, and uses can vary widely.

For example, when moms can't produce enough milk, Huntsville Hospital offers donor milk for its very low birth weight infants in the neonatal intensive care unit. At Brookwood in Birmingham - the largest purchaser of milk from the Mother's Milk Bank of Alabama - milk is also offered to well babies outside the intensive care unit whose mothers have problems with milk production.

That's standard across the country, said Bar-Yam, who is also the executive director of the Mothers' Milk Bank Northeast in Boston.

"Once we send it to hospitals, it's their decision who gets it," said Bar-Yam. "We don't have any control over what hospitals do. We are a vendor and send the hospitals a product. And I wouldn't want to (regulate usage). Doctors know the situations of their babies better than I do."

Who gets the milk?

Hospitals have their own set of considerations, including cost and patient population, to decide who gets the milk, Bar-Yam said.

But she has seen more and more hospitals using milk on bigger babies. It all depends on priorities and available funds.



Photos of families that have donated breast milk to the Mothers' Milk Bank of Alabama line the wall outside the lab. (Anna Claire Vollers | avollers@AL.com) (Anna Claire Vollers | avollers@al.com)

In Alabama, Medicaid covers more than half of all births in the state. The flat fee that Medicaid pays a hospital for a birth

covers all medicine and supplies associated with that birth, which can include formula.

"Right now there are no insurances in Alabama that cover donor human milk, so hospitals have to take it as a loss," said Habchi. "The reason Brookwood and private hospitals can afford it is because it's factored in their budget."

Other hospitals, particularly those that treat critically ill infants, could use the milk but don't have the funds for it, she said.

Rise in popularity

In 2011 there were 10 human milk banks around the country. Now there are 26. And supply is more than keeping up with demand.

The Human Milk Banking Association of North Alabama did an internal study and found that its 26 affiliated banks have no shortage of donated milk. Last year, those banks dispensed more than 5 million ounces of milk, a 110 percent growth over the past four years.

Some of the growth is related to consumer demand, possibly the result of more published research that identifies the benefits of breast milk over formula, Bar-Yam said.

"My guess is that general concerns about pharmaceuticals is probably playing some role in this," she said. "We've gone from the 1950s (idea of) better living through chemistry to people discovering that things we've known about for millennia, like breastfeeding, do make a difference."

The Joint Commission, which accredits hospitals, now requires hospitals to track the percentage of babies that are fed breast milk only - and donor milk counts. Some hospitals may be using donor milk as a way to improve their statistics on that front.

The Surgeon General of the United States issued a call to action in 2014 that recommended hospitals promote breastfeeding. Those guidelines have led more hospitals to seek out the Baby-Friendly designation, an initiative of the World Health Organization aimed at promoting breastfeeding.

Hospitals with the Baby-Friendly designation must purchase formula at fair market price, removing the incentive to use formula as a cheaper option.



The Mothers' Milk Bank of Alabama collects, pasteurizes, screens and processes donated breast milk, which is then dispensed to hospitals and offered to babies whose mothers have trouble producing enough breast milk. (Anna Claire Vollers | avollers@AL.com) (Anna Claire Vollers | avollers@al.com)

Safety nets

The lack of availability of donor milk for sick babies in rural and smaller hospitals is a problem that needs addressing nationally, said Bar-Yam.

Alabama has 48 hospitals that offer obstetrical services, but only 15 have used donor milk through the Alabama milk bank. While Medicaid does cover donor milk in some states, it does not in Alabama, and neither do any insurance providers in the state. There are no federal regulations or Alabama laws that govern the use of donor milk.

National efforts at improving the availability of donor milk are focused on identifying safety-net hospitals - those with high percentages of Medicaid and uninsured patients - and providing education about the benefits of donor milk.

Bar-Yam said the use of donor milk could save hospitals money in the long run. Breastmilk has been shown to considerably reduce the risk of necrotizing enterocolitis, a gut infection that mainly affects premature babies and has a high mortality

rate. Treatment can require expensive abdominal surgery.

"A hospital can purchase a huge amount of donor milk for one case of NEC that is prevented," she said.

Habchi said she hopes that as the milk bank continues to expand in Alabama, more resources will be available to pursue grants that could fund outreach and advocacy, and ultimately bring donor milk to more Alabama hospitals.

"Alabama has one of the lower breastfeeding rates in the nation, while having one of the highest infant mortality rates in the nation," she said. "Those two correlate."

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REAL-TIME NEWS FROM BIRMINGHAM

Authorities ID man shot, killed in confrontation with Jeffco deputies

2

Updated on July 19, 2017 at 8:12 AM, Posted on July 19, 2017 at 8:01 AM

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By Carol Robinson, crobinson@al.com

Authorities this morning released the name of a man shot to death during a confrontation with Jefferson County sheriff's deputies

The Jefferson County Coroner's Office identified the man as Daniel Thomas Reid. He was a 32-year-old white male who lived at the home where the shooting took place.

Sheriff's Chief Deputy Randy Christian said Tuesday night deputies received a call from a landlord who owned property in the 6300 block of Clay Palmerdale Road shortly after a 6 p.m. about a man who was allegedly harassing neighbors and threatening them with a gun. After talking to the neighbors, deputies attempted to talk to the suspect. Christian said the man - now identified as Reid - immediately became combative.

Deputies were told the man had a loaded gun, but they were not sure if it was on him or inside the home. As deputies tried to keep him from going into the house, Christian said the suspect, who is described as a large man, tried to fight deputies.



Clay suspect combative in deputy involved shooting

The Jefferson County Sheriff's Office said the suspect was Tased and shot twice before he was shot a third time as the suspect tried to fight the deputies.

Reid was Tased twice, but was undeterred. He then pulled the prongs off his body and wrestled a Taser away from a deputy. Reid Tased a deputy, who then fired two shots at the suspect.

Reid fell to the ground, but Christian said he got back up and started to advance at deputies again. He was shot a third time, which was the fatal shot.

"Had our deputies hesitated from everything that I looked at and heard, we certainly would be talking about much more than one person killed," he said. "If you can wrestle a Taser from an deputy, you sure can wrestle a gun...the officers protected themselves as they should have."

Coroner's officials said Reid was shot at 6:30 p.m. and pronounced dead at 7:08 p.m.

The Alabama Law Enforcement Agency is investigating, as is standard procedure with all officer-involved shootings.

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Campaign will help felons learn about voting rights



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Published 4:56 pm Saturday, June 24, 2017

By Mary Stewart | *The Selma Times-Journal*

Legal Services Alabama and American Civil Liberties Union of Alabama are launching a new voting rights campaign at the Brown Chapel A.M.E.

Brown Chapel was an important location for activist during the civil rights movement and will prove its importance again as it will be a place for lawyers to learn about a new law.

Up until the passing of a recent law, people convicted of "crimes of moral turpitude" were no longer able to vote.

The issue people had with the law was that it was left up to county registrars to decide what crimes of moral turpitude consist of.

The new law will bring hope to people who have been wrongfully stripped of their voting rights because it will give a clear definition of what is and is not a crime of moral turpitude.

The law will require those who have been wrongfully stripped of their rights to comply with a process for application with the Board of Pardons and Parole.

"The ACLU of Alabama is proud to work with Legal Services of Alabama in a campaign to restore voting rights," Randall Marshall, Acting Executive Director of the ACLU of Alabama said. "Felon disenfranchisement laws are vestiges of the Jim Crow era. The fundamental right to vote extends to every American citizen."

The Executive Director of Legal Services of Alabama weighed in with his thoughts on how this change will impact our state.

"If we take reentry for ex-offenders seriously, we have to recognize that re-entry means resumption of the rights and privileges of American citizenship," he said. "Helping these men and women comply with their legal obligations fills a new, unmet need for many of the low-income Alabamians who are our client base."

The law does not affect those who have convicted heinous acts of crime, like rape or murder. These felons will still be barred from ever regaining their right to vote.

The felons this law will impact have committed crime such as, common driving offenses, receiving stolen property, drug possession for personal use, and other drug related misconducts.

There will be "restoration clinics" hosted in churches in Birmingham, Mobile and Selma this summer.

During the fall, they will expand the clinics across the state.

"Effective legal aid for the poor requires taking your work to the neighborhoods where disadvantaged people live," Davis said.

"That is why we are drawing on the clergy community and why we will literally be going on the road in Birmingham, Mobile, and the Black Belt in late summer."

The Voter Rights Registration Training will be held on July 8 at 1 p.m. at the Brown Chapel A.M.E. Church in Selma. The dates of the restoration clinics will begin in mid to late July, and will be announced in coming weeks.

If you have any questions, contact Rebecca Seung-Bickley at (334) 420-1743 or Desiree Taylor at (334) 832-1427.

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New Alabama law more clearly defines which felons can lose their voting rights

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By wrbljoeyripley
Published: June 21, 2017, 12:07 am | Updated: June 21, 2017, 12:10 am

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A new Alabama law now allows some convicted felons to earn back the right to vote. Alabama Gov. Kay Ivey signed

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he bill into law in May, reversing the more than century-old rule. While state lawmakers could not decide how to spend nearly $1 billion on prison reform, they could all agree on one thing. After 116 years, Alabama lawmakers decided it was time to let several criminals have a second chance to make their voices heard.



Some Alabama inmates could reapply to regain their right to vote thanks to a recently passed law.

The defining, unanimous push behind state Sen. Mike Jones' (R-AL, District 92) bill ultimately changed a law dating back to 1901. Rep. Chris Blackshear (R-AL, District 80) says the new law specifically lists more than 40 felonies that would automatically strip criminals of voting rights.

"Look at the constitution of 1901, there really was not a definition of moral turpitude," Blackshear explained about what constituted the loss of voting rights. "It was kind of lenient and open for interpretation, which led to a lot of individuals losing their voter rights. Some would say they shouldn't have based on the crimes they committed."

Blackshear says the new law more clearly defines who, as a felon, can vote vs. who cannot.

"I truly believe in second chances for some," Blackshear said. "There are some things you do when you don't deserve second chances because it all starts with

individual choices you and I make."

Waleisah Wilson spent time in prison. Now, she helps former inmates find employment and regain their footing in society once they complete their prison sentences. Wilson believes voting provides a voice to all U.S. citizens, whether they are in or out of a prison cell.

"I think every state should allow you to vote, whether you're in prison, on probation, or on parole," Wilson said. "Just because you have a felony does not mean you're a bad person. It just means you've made some poor choices."

Wilson believes keeping felons from voting limits their productivity in society. She says mass incarceration disproportionately affects minorities, a trend, she believes, that has the same message in a different envelope.

"I think there are a lot of systems put in place to remind us that we're not better off," Wilson said. "As you know, mass incarceration, the issues, and the effects of it are known as the New Jim Crow. To exclude such a large number of people out of having a political voice, to me, is just wrong."

Blackshear, meanwhile, admits no law is perfect. But he sees this new law as progress and a way for Alabama lawmakers to continue to review and evolve laws that need a fresh update.

"This makes it simple," Blackshear said. "If you break one of these, you lose your rights. If you don't, you have your voting rights."

People who committed one of the crimes of moral turpitude would have to pay restitution or fines before reapplying for the right to vote. If they committed a felony not listed in this new law, they can apply for the right to vote, even while

they are still in prison. To see the new law, click: Act No. 2017-378 (Moral Turpitude).

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Clinics Planned to Help Felons Register to Vote

By ALEX AUBUCHON & ASSOCIATED PRESS • JUN 19, 2017

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A new state law restores voting rights for many people with felony convictions, and two legal groups will be holding clinics this summer to make sure those people are registered to vote.

The ACLU of Alabama and Legal Services of Alabama both plan to hold a series of "restoration clinics" at churches in Birmingham, Mobile and Selma this summer.

Last month, state lawmakers approved a law clarifying that there are only certain types of felonies, like murder and drug trafficking, that would cause someone to lose their right to vote. The previous definition was a "crime of moral turpitude", which was up to interpretation.

The first "restoration clinic" will be held July 8 at Brown Chapel A.M.E. in Selma to train volunteer lawyers and those potentially affected about the new law.

TAGS: ACLU | ACLU OF ALABAMA | VOTING | FELON VOTING | LEGAL SERVICES OF ALABAMA | BIRMINGHAM | MOBILE | SELMA

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REAL-TIME NEWS FROM BIRMINGHAM

Alabama's newest laws: Bills that passed the Legislature this year

Updated June 12, 2017
Posted June 12, 2017

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Laws affect death penalty cases, historic structures, party primary voting

Alabama lawmakers introduced more than 1,000 bills during the legislative session that ended May 19. The vast majority did not pass, and many of those that did were local bills, affecting a single county, city or town. But some bills of statewide impact did pass, and will change the law on death penalty cases, health insurance coverage, voting in party primaries and other areas. Below are some of the new laws. Photo shows the House of Representatives earlier this year. (Julie Bennett/jbennett@al.com)



Faith-based adoption agencies

House Bill 24 says the state cannot refuse to license child adoption agencies for setting policies based on religious beliefs, such as not placing children with same-sex couples. The law does not apply to agencies that receive state or federal funding. The file photo, taken in 2005, shows Dutch gay couple Jos and Jarko De Witte van Leeuwen, who were then about to adopt a child from the United States. (AP Photo/Serge Ligtenberg)



Teen drivers

House Bill 29 increases the penalties for teen drivers who hold restricted licenses and violate the restrictions, such as driving after midnight or with too many passengers. Parents who knowingly allow their teens to violate the restrictions can be fined if there are repeat offenses. Cumberland Valley (Pa.) High School student Seth Krause, 16, practices parallel parking in South Middleton Township, Pa. (Photo by Dan Gleiter/The Patriot-News)



Excessive force by police

House Bill 50 requires the Alabama Criminal Justice Information Center to collect information on allegations of the use of excessive force by state, county and city police, including the race of the officer and victim, and present annual reports to the Legislature on the information it collects. People protest in response to the grand jury's decision in the Eric Garner case in Times Square in New York, Wednesday, Dec. 3, 2014. The grand jury cleared the white New York City police officer Wednesday in the videotaped choke-hold death of Garner, an unarmed black man, who had been stopped on suspicion of selling loose, untaxed cigarettes, a lawyer for the victim's family said. (AP Photo/Seth Wenig)



Sky lanterns

House Bill 59 makes it illegal to release sky lanterns within 500 yards of a public gathering. Sky lanterns are free-floating and use an open flame to rise like a hot-air balloon. Dozens of people gathered around Thrasher Fountain to light luminaries and release 100 sky lanterns in recognition of World AIDS Day in Big Spring International Park in Huntsville on Dec. 1, 2013. (Eric Schultz / eschultz@al.com)



Health care rights of conscience

House Bill 95 prohibits firing, demoting or otherwise penalizing a health care worker for refusing to participate in abortion, human cloning, human embryonic stem cell research or sterilization. The health care worker must provide written notice of their objection in advance. The law does not apply to abortion clinics. Trays of human embryonic stem cells at the University of Michigan Center for Human Embryonic Stem Cell Research Laboratory in Ann Arbor, Mich., are shown in this 2008 file photo. (AP Photo/Paul Sancya)



Assisted suicide

House Bill 96 makes it a felony to deliberately assist someone in committing suicide. That includes a doctor who prescribes a drug or performs a procedure to aid in dying. The crime is a Class C felony, punishable by up to 10 years in prison. Assisted suicide advocate Jack Kevorkian, wearing blue sweater, standing next to his attorney Mayer Morganroth, far right, leaves the Lakeland Correctional Facility in Coldwater, Mich., in 2007. Kevorkian, the retired pathologist dubbed "Dr. Death" after claiming he had participated in at least 130 assisted suicides, was leaving prison after eight years. He died in 2011. (AP Photo/Carlos Osorio, pool)



Right to life of unborn

House Bill 98 is a proposed amendment to the state Constitution that says Alabama recognizes the right to life of the unborn and that nothing in the state Constitution provides the right to abortion. It will be on the ballot for voters to approve or reject in the November 2018 general election. It would not have any direct impact unless Roe v. Wade is overturned. Pro-life and pro-choice supporters rallied outside of the Alabama Women's Center for Reproductive Alternatives during a "40 Days of Life Prayer Vigil" organized by pro-life members in Huntsville in 2013. (Sarah Cole/AL.com)



Felons' voting rights

House Bill 282 defined what crimes are those of “moral turpitude” for the purpose of whether an offender loses voting privileges. The term “moral turpitude” is in the state Constitution but had no clear definition. Voters waiting in line outside Little Indian Creek Primitive Baptist Church in Monrovia, near Huntsville, in November 2016. (Bob Gathany/bgathany@AL.com)



Insurance coverage for autism

House Bill 284 requires some health insurance plans to cover screening, diagnosis and treatment for autism for those 18 and younger. That includes coverage for applied behavior analysis, considered a vital therapy for many children with autism but one that is not affordable for many families without insurance. Parents and advocates for the bill pack a committee meeting room at the Alabama State House. (Mike Cason/AL.com)

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ALABAMA LAW COULD ALLOW MORE FELONS TO VOTE

Birmingham Times | June 5, 2017 | Recent Stories, Local, Politics | No Comments

By Kim Chandler
Associated Press

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The Definition of Moral Turpitude Act signed by Governor Kay Ivey will restore voting rights for some Alabama felons.

MONTGOMERY, Ala. — Alabama might allow more former felons to vote in upcoming elections after lawmakers, for the first time, approved a definitive list of what crimes will cause someone to lose their voting rights.

Alabama lawmakers last month gave final approval to legislation that defines a crime of "moral turpitude" that will cause someone to lose their voting rights. The measure, which was signed into law by Republican Gov. Kay Ivey, is aimed at ending confusion over who can, and can't vote, because of prior convictions.

The new list of 46 types of felonies includes robbery, assault, felony theft and drug trafficking but not offenses such as drug possession.

Voting rights advocates called it a "step forward" in softening the policy of blocking ballot box access for people with criminal records – and hit African-Americans particularly hard.

"It's like a step toward freedom after years of waiting. It's giving people their citizenship back," said the Rev. Kenneth Glasgow, who for years has fought to register people with prison records to vote.

The 1901 Alabama Constitution says people convicted of crimes involving "moral turpitude" are no longer able to vote, but didn't define the term nor list any crimes meeting the definition. Politicians for decades have squabbled for decades over what crimes should be on that list.

"What moral turpitude meant in Shelby County could have been something totally different in Talladega County," Sen. Cam Ward, R-Alabaster, said.







Danielle Lang, deputy director of voting rights at Campaign Legal Center, said there are still deeply troubling aspects to the state's disenfranchisement law.

"Alabama still continues to be one of only a dozen states that disenfranchises people permanently even though they have fully completed their sentence," Lang said.

People in Alabama can apply to have their voting rights restored, but must have paid their court-ordered fees and fines. "That functions as nothing more than a modern day poll tax," Lang said.

The Sentencing Project has estimated more than 260,000 people have been blocked from voting in Alabama. Nearly half of those were African-American. The prior lack of a definitive list has sowed confusion, said Secretary of State John Merrill, who praised the passage of the bill.

Yoli Taylor of Dothan was told by local registrars in 2014 that she was ineligible to vote because of a decade-old conviction for marijuana possession, even though she had voted in 2012.

Alabama's secretary of state at the time later contacted registrars to tell them that marijuana possession for personal use should not be considered a crime of moral turpitude under their interpretation of the law.

Glasgow wore his voter registration card around his neck when his voting rights were restored after he was released from prison.

It was proof, he said, he was a citizen again. "You really don't have citizenship until you have your voting rights."

Glasgow said the next step after the law's passage is education to make sure people know they can vote.

"I am going across this state and make sure each and every person who has felony— that is not on the list — that they are registered to vote," Glasgow said.

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More Alabama Felons May Get To Vote

By PAT DUGGINS • JUN 4, 2017

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Alabama might allow more former felons to vote in upcoming elections. The change may come after the State approved a list of what crimes will cause someone to lose their

voting rights. The State House and Senate passed legislation last month that defines a crime of "moral turpitude" as one that will cause someone to lose their voting rights. Governor Kayley signed the bill aimed at ending confusion over who can, and can't vote, because of prior convictions.

The new list of forty six types of felonies includes robbery, assault, felony theft and drug trafficking but not offenses such as drug possession. Voting rights advocates called it a "step forward" in softening the policy of blocking ballot box access for people with criminal records - and hit African-Americans particularly hard.

The 1901 Alabama Constitution says people convicted of crimes involving "moral turpitude" are no longer able to vote, but didn't define what crimes were to be included. The civil liberties group The Sentencing Project has estimated more than quarter million people have been blocked from voting in Alabama. Nearly half of those were African-American.

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REAL-TIME NEWS FROM AL.COM

Gov. Ivey signs bill restoring 'thousands' of Alabama felons' right to vote

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Updated on May 25, 2017 at 3:34 PM, Posted on May 25, 2017 at 11:48 AM



Alabama Gov. Kay Ivey makes remarks Thursday, April 13, 2017, during a State Board of Education meeting in Montgomery, Ala. (Julie Bennett/jbennett@al.com) (Julie Bennett)

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By Connor Sheets, csheets@al.com

Gov. Kay Ivey has signed a bill restoring 'thousands' of Alabama felon's right to vote.

Called the Definition of Moral Turpitude Act, the legislation was approved by the state legislature last week.

The bill, which Ivey signed into law on Wednesday afternoon according to governor's office spokeswoman Eileen Jones, clarifies the definition of the term "moral turpitude" as it is used in the state constitution, which states that "no person convicted of a felony of moral turpitude" may vote.

Before the bill was signed, only five felonies were considered not to be crimes of moral turpitude. But now the new law establishes a list of less than 50 crimes of moral turpitude, which any person convicted of committing will lose the right to vote.

Convictions of any other crimes will no longer lead to the loss of that essential right of citizenship, according to supporters of the law, like the National Association for the Advancement of Colored People (NAACP) Legal Defense and Educational Fund.

"We commend Governor Ivey and the Alabama State Legislature for recognizing that Alabama law left the voting rights of too many citizens - especially Black citizens - hanging in the balance because of a legal ambiguity," the fund said in a statement Thursday. "With the stroke of a pen, Governor Ivey has taken a significant step towards making Alabama's democracy more vital."

Pastor Kenneth Glasgow, founder of The Ordinary People Society, a Dothan nonprofit advocacy group, predicted last week that the law would have a major impact in Alabama.

"For thousands and thousands of people who did not have the right to vote, it gives them the opportunity to vote," he said at the time.

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REAL-TIME NEWS FROM AL.COM

Rise in donated breast milk raises questions of fairness across Alabama

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Updated on July 19, 2017 at 8:11 AM, Posted on July 19, 2017 at 8:11 AM



Bottles of donate breast milk at the Mothers' Milk Bank of Alabama have been pasteurized and screened, and are ready for dispensing to hospitals. (Anna Claire Vollers | avollers@AL.com)

1
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By Anna Claire Vollers, avollers@al.com

In the past few years, the use of donated breast milk in hospitals has skyrocketed across the country. Alabama is no exception.

The nonprofit Mothers' Milk Bank of Alabama, which opened in November 2015, accepts donated breast milk, screens it, pasteurizes it and packages it to dispense to hospitals for a processing fee that helps defray costs.

Many hospitals use it for critically ill and premature babies who aren't able to breastfeed.

Yet Medicaid and private insurance don't cover donor milk in Alabama, so hospitals have to budget for it. At a time when smaller and rural hospitals are struggling to stay open, donor milk for their babies can be an unaffordable luxury.

So as the milk pours in, proponents of donor milk are trying to answer a simple question: Who is entitled to the milk?

"Who gets donor milk should never depend on what zip code you're born into," said Naomi Bar-Yam, president of the board

of the Human Milk Banking Association of North America, which oversees the MMBA and milk banks nationwide.

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"That's not acceptable."

Surpassing expectations

A week after a difficult birth, Rachel Moody learned that her newborn daughter was only getting about 1 milliliter of breast milk whenever she breastfed. She should have been getting nearly 60 milliliters.

Her doctors at Brookwood Baptist Medical Center in Birmingham offered her donor milk - donated breast milk that has been screened and pasteurized - instead of formula.

Most national and international medical organizations have come out in favor of breast milk over formula for infants, citing studies showing it helps prevent digestive and respiratory diseases, and may help lessen the risk of sudden infant death syndrome and obesity. When maternal milk isn't available, the American Academy of Pediatrics and the World Health Organization have recommended that donated breast milk be given to babies.

In 2016, Alabama's newly-opened milk bank dispensed 16,000 ounces of donor milk. The bank has already surpassed that this year, dispensing more than 21,000 ounces in the first half of 2017.

The incoming milk donations have surpassed expectations, said Kristina Habchi, program director at the milk bank.

"It's relatively new for us to have a steady supply, which we're really excited about and happy to have," said Habchi. The bank has received 39,000 ounces of donated milk so far this year, and is working to process it all. That number doesn't include frozen milk currently being held by milk "depots" - donation sites throughout the state.

But even with all this milk coming in, not all Alabama babies have the option of receiving it.

The bulk of it goes to about 15 hospitals statewide, plus a couple out of state. As supply has grown, the Alabama milk bank has worked to increase its number of participating hospitals.

But they remain limited to the hospitals that can afford it. These are hospitals that are larger or wealthier, mostly in the state's urban centers.

How it works

Mothers who have an oversupply of breast milk can complete a screening process and blood test, and then donate their excess milk at one of 12 milk depots in Alabama or Georgia that will be sent to the MMBA.

The milk is logged and stored at the Mother's Milk Bank of Alabama - which is housed inside the Community Food Bank in Birmingham - until processing. Then it's combined with other milk, pasteurized, and sent off for bacterial testing at the Human Milk Banking Association of North America in Texas. Then it returns to the milk bank before being dispensed to hospitals.



A lab technician and a volunteer pool donated breast milk at the Mothers' Milk Bank of Alabama in July 2017. The milk will be pasteurized and screened before being dispensed to Alabama hospitals. (Anna Claire Vollers | avollers@AL.com) (Anna Claire Vollers | avollers@al.com)

The milk bank is a nonprofit, and sells the milk to hospitals for about $4.40 per ounce, a fee that covers screening and

processing costs. There is no cost to breastmilk donors; the bank has about 100 active donors from Alabama, Georgia and Tennessee.

The milk bank has dispensed milk to 17 hospitals so far, including hospitals in Birmingham, Huntsville, Mobile, Tuscaloosa and Montgomery.

The milk bank's website indicates that the donated milk goes primarily to critically ill and premature babies. The organization requires that milk be given out at hospitals based on doctor prescription, said Habchi.

But the bank has little control over how hospitals use the milk once it's dispensed, and uses can vary widely.

For example, when moms can't produce enough milk, Huntsville Hospital offers donor milk for its very low birth weight infants in the neonatal intensive care unit. At Brookwood in Birmingham - the largest purchaser of milk from the Mother's Milk Bank of Alabama - milk is also offered to well babies outside the intensive care unit whose mothers have problems with milk production.

That's standard across the country, said Bar-Yam, who is also the executive director of the Mothers' Milk Bank Northeast in Boston.

"Once we send it to hospitals, it's their decision who gets it," said Bar-Yam. "We don't have any control over what hospitals do. We are a vendor and send the hospitals a product. And I wouldn't want to (regulate usage). Doctors know the situations of their babies better than I do."

Who gets the milk?

Hospitals have their own set of considerations, including cost and patient population, to decide who gets the milk, Bar-Yam said.

But she has seen more and more hospitals using milk on bigger babies. It all depends on priorities and available funds.



Photos of families that have donated breast milk to the Mothers' Milk Bank of Alabama line the wall outside the lab. (Anna Claire Vollers | avollers@AL.com) (Anna Claire Vollers | avollers@al.com)

In Alabama, Medicaid covers more than half of all births in the state. The flat fee that Medicaid pays a hospital for a birth covers all medicine and supplies associated with that birth, which can include formula.

"Right now there are no insurances in Alabama that cover donor human milk, so hospitals have to take it as a loss," said Habchi. "The reason Brookwood and private hospitals can afford it is because it's factored in their budget."

Other hospitals, particularly those that treat critically ill infants, could use the milk but don't have the funds for it, she said.

Rise in popularity

In 2011 there were 10 human milk banks around the country. Now there are 26. And supply is more than keeping up with demand.

The Human Milk Banking Association of North Alabama did an internal study and found that its 26 affiliated banks have no shortage of donated milk. Last year, those banks dispensed more than 5 million ounces of milk, a 110 percent growth over the past four years.

Some of the growth is related to consumer demand, possibly the result of more published research that identifies the benefits of breast milk over formula, Bar-Yam said.

"My guess is that general concerns about pharmaceuticals is probably playing some role in this," she said. "We've gone from the 1950s (idea of) better living through chemistry to people discovering that things we've known about for millennia, like breastfeeding, do make a difference."

The Joint Commission, which accredits hospitals, now requires hospitals to track the percentage of babies that are fed breast milk only - and donor milk counts. Some hospitals may be using donor milk as a way to improve their statistics on that front.

The Surgeon General of the United States issued a call to action in 2014 that recommended hospitals promote breastfeeding. Those guidelines have led more hospitals to seek out the Baby-Friendly designation, an initiative of the World Health Organization aimed at promoting breastfeeding.

Hospitals with the Baby-Friendly designation must purchase formula at fair market price, removing the incentive to use formula as a cheaper option.



The Mothers' Milk Bank of Alabama collects, pasteurizes, screens and processes donated breast milk, which is then dispensed to hospitals and offered to babies whose mothers have trouble producing enough breast milk. (Anna Claire Vollers | avollers@AL.com) (Anna Claire Vollers | avollers@al.com)

Safety nets

The lack of availability of donor milk for sick babies in rural and smaller hospitals is a problem that needs addressing nationally, said Bar-Yam.

Alabama has 48 hospitals that offer obstetrical services, but only 15 have used donor milk through the Alabama milk bank. While Medicaid does cover donor milk in some states, it does not in Alabama, and neither do any insurance providers in the state. There are no federal regulations or Alabama laws that govern the use of donor milk.

National efforts at improving the availability of donor milk are focused on identifying safety-net hospitals - those with high

percentages of Medicaid and uninsured patients - and providing education about the benefits of donor milk.

Bar-Yam said the use of donor milk could save hospitals money in the long run. Breastmilk has been shown to considerably reduce the risk of necrotizing enterocolitis, a gut infection that mainly affects premature babies and has a high mortality rate. Treatment can require expensive abdominal surgery.

"A hospital can purchase a huge amount of donor milk for one case of NEC that is prevented," she said.

Habchi said she hopes that as the milk bank continues to expand in Alabama, more resources will be available to pursue grants that could fund outreach and advocacy, and ultimately bring donor milk to more Alabama hospitals.

"Alabama has one of the lower breastfeeding rates in the nation, while having one of the highest infant mortality rates in the nation," she said. "Those two correlate."

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REAL-TIME NEWS FROM BIRMINGHAM

Authorities ID man shot, killed in confrontation with Jeffco deputies

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Updated on July 19, 2017 at 8:12 AM, Posted on July 19, 2017 at 8:01 AM

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By Carol Robinson, crobinson@al.com



Authorities this morning released the name of a man shot to death during a confrontation with Jefferson County sheriff's deputies

The Jefferson County Coroner's Office identified the man as Daniel Thomas Reid. He was a 32-year-old white male who lived at the home where the shooting took place.

Sheriff's Chief Deputy Randy Christian said Tuesday night deputies received a call from a landlord who owned property in the 6300 block of Clay Palmerdale Road shortly after a 6 p.m. about a man who was allegedly harassing neighbors and threatening them with a gun. After talking to the neighbors, deputies attempted to talk to the suspect. Christian said the man - now identified as Reid - immediately became combative.

Deputies were told the man had a loaded gun, but they were not sure if it was on him or inside the home. As deputies tried to keep him from going into the house, Christian said the suspect, who is described as a large man, tried to fight deputies.



Clay suspect combative in deputy involved shooting

The Jefferson County Sheriff's Office said the suspect was Tased and shot twice before he was shot a third time as the suspect tried to fight the deputies.

Reid was Tased twice, but was undeterred. He then pulled the prongs off his body and wrestled a Taser away from a deputy. Reid Tased a deputy, who then fired two shots at the suspect.

Reid fell to the ground, but Christian said he got back up and started to advance at deputies again. He was shot a third time, which was the fatal shot.

"Had our deputies hesitated from everything that I looked at and heard, we certainly would be talking about much more than one person killed," he said. "If you can wrestle a Taser from an deputy, you sure can wrestle a gun...the officers protected themselves as they should have."

Coroner's officials said Reid was shot at 6:30 p.m. and pronounced dead at 7:08 p.m.

The Alabama Law Enforcement Agency is investigating, as is standard procedure with all officer-involved shootings.

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New law restores some felons' right to vote in Alabama

By Michael Clark, CBS42

Published: May 25, 2017, 10:15 pm | Updated: June 8, 2017, 11:48 am

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TUSCALOOSA, Ala. (WIAT) — Some felons in Alabama will be able to vote again after a new bill was signed into law by Governor Kay Ivey.

The Definition of Moral Turpitude Act now defines what felony convictions may temporarily restrict someone from voting.

In Alabama, certain crimes of moral turpitude can keep someone from voting. Until now, only a handful of convictions were listed, leaving the unlisted convictions up to potentially different interpretations across county lines.

Former Tuscaloosa mayoral candidate Stepfon Lewis had to go through hoops to have his voter rights restored in order to get on the ballot or cast his vote.

His 1992 drug conviction is not on the new list of offenses. He believes the new law will make it easier for others who fall into the same category.

“You just kind of feel like your voice will never be heard and you’re not really full-fledged, you don’t belong,” said Lewis.

After turning his life around, Lewis worried the mistake in his past would always hurt his ability to shape the future.

“There’s some things you don’t know how big they are until you don’t have them anymore,” said Lewis.

For programs who help convicts get back on their feet, the new law provides clarity.

“It’s consistent throughout the state, it helps re-entry programs that are helping people in different counties,” said Katie Mitchell, a case manager at the Dannon Project in Birmingham.

Mitchell said regaining the ability to vote is a big step forward for those with a previous conviction.

“When we get these people to get ownership to their community and they feel like they’re a part of Birmingham

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and they're invested in it, then they don't want to cause problems, they don't want to continue to commit crimes," said Mitchell.

Even those with convictions that fill on the moral turpitude list can apply to have voter rights restored. Lewis thinks the new law will make it easier for people to get back to the polls after time behind bars.

"People should the opportunity to change their lives to move forward," said Lewis.

Shay Farley, policy counsel for the Southern Poverty Law Center estimated the new list may impact a few thousand people.

She said the new law should allow for more consistency.

"You could go to your board of registrars in Montgomery County having committed the same crime as your sibling in Jefferson County and be told two separate things about your right to vote," said Farley.

For a full look at the bill and listed offenses, click here.

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Pastor Kenneth Glasgow cheers passage of bill restoring voting rights for some felons

May 24, 2017 (…)

PREV



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Kenneth Glasgow feels vindicated after the recent passage of a bill restoring voting rights to thousands of currently serving felons and ex-convicts.

“I feel like I won the lawsuit all over again,” Glasgow, a local pastor and director of The Ordinary People’s Society, said. “This is a step in the right direction for people’s freedom.”

On May 17, the Alabama Legislature passed a bill defining moral turpitude regarding voting rights. Alabama Governor Kay Ivey is expected to sign the bill. The new law narrowly defines moral turpitude, applying it to less than 50 of the most serious offenses.

The Alabama Constitution says that “no person convicted of a felony of moral turpitude” may vote. The state has used a broad definition of “moral turpitude” for

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decades to refer to every felony except five minor offenses. Felons in prison have been denied the ballot, and ex-convicts have had to apply to the state to restore their voting rights.

Glasgow got the ball rolling on the bill almost a decade ago when he filed a lawsuit seeking access to inmates in Alabama prisons to register them to vote. Glasgow settled the suit, with the state allowing him access to sign up eligible incarcerated voters. However, those eligible voters were few because of a broad interpretation of language in the state constitution regarding who can't vote.

Passage of the bill could have a wide-ranging impact on Alabama politics, as it could enfranchise thousands of people previously denied the right to vote.

Glasgow said giving currently incarcerated felons and ex-convicts the right to vote will help rehabilitate them by giving them a stake in society. By allowing them to vote, the state gives them a voice and will help them feel more a party of society, according to Glasgow.

"It has a definite psychological effect," he said.

MORE INFORMATION



Paul Lee: New felony voter law will eliminate confusion

A bill signed by Gov. Kay Ivey on Wednesday should end confusion over which felony crimes will result in the loss of a person's right to vote.

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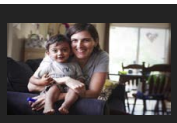
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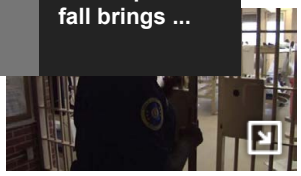
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New law clears up voting confusion for Alabamians with a felony



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y, May 24th 2017, 9:55 pm CDT
May 24th 2017, 11:30 pm CDT



(Source: WSFA 12 News)

MONTGOMERY, AL (WSFA) - Governor Kay Ivey signed a bill into law Wednesday that clears up confusion for some 250,000 Alabamians who currently can't vote due to a felony conviction.

There's now a list that clearly defines which felonies prohibit someone from the ballot box for life. For others, this bill could restore their voting rights, but just how many remains unclear.

If you've been convicted of a crime, the Southern Poverty Law Center breaks it down like this: your voting rights fall into one of three categories.

The first, you're permanently disenfranchised. This includes people with murder or rape convictions. The third category is for those with misdemeanors who never lost the right to vote, but the middle category, the one the law deals with, is for those who have been convicted of a felony, but there's a grey area surrounding their voting rights.

The constitution says you can lose your right to vote if you're convicted of a felony involving moral turpitude.

"Because there was no codified list or state law that said these are the crime for which you lose your right to vote, there was arbitrary application among the different registrar's office," said Shay Farley, Policy Council, Southern Poverty Law Center.

Meaning up until this point, a felon's right to vote varied county by county.

"For example marijuana possession, they might list that as a crime of moral turpitude, whereas only distribution of that drug or that substance would really be considered a crime of moral turpitude," said John Merrill, Alabama Secretary of State.

Now there's no gray area.

"Once they've made for restitution and they serve their sentence we want their voting rights restored," said Merrill.

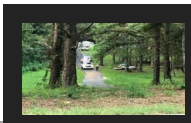
"Anything that is not on this list, then they never lost their right to vote," said Farley.

The SPLC says statistics show 15 percent of Alabama's population can't vote due to a felony record.

"We're estimating that it will impact a few thousand people," said Farley.

But Secretary of State John Merrill disagrees.

"That's like when people tell me that there's thousands and thousands of people being disenfranchised by the photo ID component which that's not true and it's not true that there's



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thousands and thousands of people that are going to be affected by this legislation," said Merrill.

The SPLC points out the majority of Alabamians with a felony record are African American and there are very few white-collar crimes on this list so no fraud or public corruption charges listed. While this is a step forward, Farley says there's still work to be done when addressing voting rights.

Similar bills have fallen flat in years past but this year, the Definition of Moral Turpitude Act, passed both chambers of the legislature with bipartisan support.

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Alabama Legislature approves bill that would restore 'many' felons' voting rights

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Updated on May 19, 2017 at 11:18 AM, Posted on May 18, 2017 at 6:37 PM



A bill that arrived on Gov. Kay Ivey's desk Thursday morning would restore "many" Alabama felons' right to vote if she signs it, according to advocates. (File photo)

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By Connor Sheets, csheets@al.com

Updated - 11:17 a.m., May 19: *Eileen J. Jones, a spokeswoman for Gov. Kay Ivey, has said that she anticipates Ivey will sign the legislation.*

"The Governor will probably sign it pending review of the legal office," Jones wrote Friday morning via email.

"Many" Alabama felons will soon regain the right to vote if Gov. Kay Ivey signs a bill that landed on her desk Thursday

morning, according to advocates.

The bill, called the Definition of Moral Turpitude Act, passed both houses of the state legislature Wednesday, a victory for backers who have sought for years to see it codified into law.

If Ivey signs it, the bill would more clearly define the term "moral turpitude" as it is used in the state constitution, which stipulates that "no person convicted of a felony of moral turpitude" may vote.

Rather than continuing to be loosely interpreted as referring to every felony but a list of five that includes driving under the influence and aiding and abetting, the term would refer to less than 50 specific "felonies that involve moral turpitude which disqualify a person from exercising his or her right to vote," the legislation states.

By redefining "moral turpitude," the bill would effectively restore "thousands" of felons' right to vote.

"This bill is a step in the right direction," Danielle Lang, deputy director of voting rights at the Washington, D.C.-based nonprofit Campaign Legal Center, said in a Thursday statement. "With a stroke of her pen, Governor Ivey could enfranchise many Alabamans that have been wrongly denied the right to vote by the state's longstanding, arbitrary process of disenfranchisement."

Ivey's office did not immediately respond to an inquiry Thursday evening about whether or not she planned to sign the legislation into law.

For generations, the disenfranchisement of felons has resulted in tens of thousands of Alabamians being left out of the electoral process even once they have done their prison time and paid their debts to society.

The bill's text states that it would go change that by "ensur[ing] that no one is wrongly excluded from the electoral franchise" and "provid[ing] 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."

Pastor Kenneth Glasgow, founder of The Ordinary People Society, a Dothan nonprofit advocacy group, said the law would have wide-reaching impacts on many felons across the state, including many incarcerated offenders who would regain the right to vote and therefore be eligible to vote via absentee ballot. Glasgow, who has been working to re-enfranchise many felons since shortly after he was released from prison in 2001, said the legislation would also restore voting rights for Alabamians who are charged with felonies but have not been convicted.

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"For thousands and thousands of people who did not have the right to vote, it gives them the opportunity to vote," he said.

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REAL-TIME NEWS FROM AL.COM

Rise in donated breast milk raises questions of fairness across Alabama

10

Updated on July 19, 2017 at 8:11 AM, Posted on July 19, 2017 at 8:11 AM



Bottles of donate breast milk at the Mothers' Milk Bank of Alabama have been pasteurized and screened, and are ready for dispensing to hospitals. (Anna Claire Vollers | avollers@AL.com)

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By Anna Claire Vollers, avollers@al.com

In the past few years, the use of donated breast milk in hospitals has skyrocketed across the country. Alabama is no exception.

The nonprofit Mothers' Milk Bank of Alabama, which opened in November 2015, accepts donated breast milk, screens it, pasteurizes it and packages it to dispense to hospitals for a processing fee that helps defray costs.

Many hospitals use it for critically ill and premature babies who aren't able to breastfeed.

Yet Medicaid and private insurance don't cover donor milk in Alabama, so hospitals have to budget for it. At a time when smaller and rural hospitals are struggling to stay open, donor milk for their babies can be an unaffordable luxury.

So as the milk pours in, proponents of donor milk are trying to answer a simple question: Who is entitled to the milk?

"Who gets donor milk should never depend on what zip code you're born into," said Naomi Bar-Yam, president of the board

of the Human Milk Banking Association of North America, which oversees the MMBA and milk banks nationwide.

"That's not acceptable."

Surpassing expectations

A week after a difficult birth, Rachel Moody learned that her newborn daughter was only getting about 1 milliliter of breast milk whenever she breastfed. She should have been getting nearly 60 milliliters.

Her doctors at Brookwood Baptist Medical Center in Birmingham offered her donor milk - donated breast milk that has been screened and pasteurized - instead of formula.

Most national and international medical organizations have come out in favor of breast milk over formula for infants, citing studies showing it helps prevent digestive and respiratory diseases, and may help lessen the risk of sudden infant death syndrome and obesity. When maternal milk isn't available, the American Academy of Pediatrics and the World Health Organization have recommended that donated breast milk be given to babies.

In 2016, Alabama's newly-opened milk bank dispensed 16,000 ounces of donor milk. The bank has already surpassed that this year, dispensing more than 21,000 ounces in the first half of 2017.

The incoming milk donations have surpassed expectations, said Kristina Habchi, program director at the milk bank.

"It's relatively new for us to have a steady supply, which we're really excited about and happy to have," said Habchi. The bank has received 39,000 ounces of donated milk so far this year, and is working to process it all. That number doesn't include frozen milk currently being held by milk "depots" - donation sites throughout the state.

But even with all this milk coming in, not all Alabama babies have the option of receiving it.

The bulk of it goes to about 15 hospitals statewide, plus a couple out of state. As supply has grown, the Alabama milk bank has worked to increase its number of participating hospitals.

But they remain limited to the hospitals that can afford it. These are hospitals that are larger or wealthier, mostly in the state's urban centers.

How it works

Mothers who have an oversupply of breast milk can complete a screening process and blood test, and then donate their excess milk at one of 12 milk depots in Alabama or Georgia that will be sent to the MMBA.

The milk is logged and stored at the Mother's Milk Bank of Alabama - which is housed inside the Community Food Bank in Birmingham - until processing. Then it's combined with other milk, pasteurized, and sent off for bacterial testing at the Human Milk Banking Association of North America in Texas. Then it returns to the milk bank before being dispensed to hospitals.



A lab technician and a volunteer pool donated breast milk at the Mothers' Milk Bank of Alabama in July 2017. The milk will be pasteurized and screened before being dispensed to Alabama hospitals. (Anna Claire Vollers | avollers@AL.com) (Anna Claire Vollers | avollers@al.com)

The milk bank is a nonprofit, and sells the milk to hospitals for about $4.40 per ounce, a fee that covers screening and processing costs. There is no cost to breastmilk donors; the bank has about 100 active donors from Alabama, Georgia and Tennessee.

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and Montgomery.

The milk bank's website indicates that the donated milk goes primarily to critically ill and premature babies. The organization requires that milk be given out at hospitals based on doctor prescription, said Habchi.

But the bank has little control over how hospitals use the milk once it's dispensed, and uses can vary widely.

For example, when moms can't produce enough milk, Huntsville Hospital offers donor milk for its very low birth weight infants in the neonatal intensive care unit. At Brookwood in Birmingham - the largest purchaser of milk from the Mother's Milk Bank of Alabama - milk is also offered to well babies outside the intensive care unit whose mothers have problems with milk production.

That's standard across the country, said Bar-Yam, who is also the executive director of the Mothers' Milk Bank Northeast in Boston.

"Once we send it to hospitals, it's their decision who gets it," said Bar-Yam. "We don't have any control over what hospitals do. We are a vendor and send the hospitals a product. And I wouldn't want to (regulate usage). Doctors know the situations of their babies better than I do."

Who gets the milk?

Hospitals have their own set of considerations, including cost and patient population, to decide who gets the milk, Bar-Yam said.

But she has seen more and more hospitals using milk on bigger babies. It all depends on priorities and available funds.



Photos of families that have donated breast milk to the Mothers' Milk Bank of Alabama line the wall outside the lab. (Anna Claire Vollers | avollers@AL.com) (Anna Claire Vollers | avollers@al.com)

In Alabama, Medicaid covers more than half of all births in the state. The flat fee that Medicaid pays a hospital for a birth covers all medicine and supplies associated with that birth, which can include formula.

"Right now there are no insurances in Alabama that cover donor human milk, so hospitals have to take it as a loss," said Habchi. "The reason Brookwood and private hospitals can afford it is because it's factored in their budget."

Other hospitals, particularly those that treat critically ill infants, could use the milk but don't have the funds for it, she said.

Rise in popularity

In 2011 there were 10 human milk banks around the country. Now there are 26. And supply is more than keeping up with demand.

The Human Milk Banking Association of North Alabama did an internal study and found that its 26 affiliated banks have no shortage of donated milk. Last year, those banks dispensed more than 5 million ounces of milk, a 110 percent growth over the past four years.

Some of the growth is related to consumer demand, possibly the result of more published research that identifies the benefits of breast milk over formula, Bar-Yam said.

"My guess is that general concerns about pharmaceuticals is probably playing some role in this," she said. "We've gone from the 1950s (idea of) better living through chemistry to people discovering that things we've known about for millennia, like breastfeeding, do make a difference."

The Joint Commission, which accredits hospitals, now requires hospitals to track the percentage of babies that are fed breast milk only - and donor milk counts. Some hospitals may be using donor milk as a way to improve their statistics on that front.

The Surgeon General of the United States issued a call to action in 2014 that recommended hospitals promote breastfeeding. Those guidelines have led more hospitals to seek out the Baby-Friendly designation, an initiative of the World Health Organization aimed at promoting breastfeeding.

Hospitals with the Baby-Friendly designation must purchase formula at fair market price, removing the incentive to use formula as a cheaper option.



The Mothers' Milk Bank of Alabama collects, pasteurizes, screens and processes donated breast milk, which is then

dispensed to hospitals and offered to babies whose mothers have trouble producing enough breast milk. (Anna Claire Vollers | avollers@AL.com) (Anna Claire Vollers | avollers@al.com)

Safety nets

The lack of availability of donor milk for sick babies in rural and smaller hospitals is a problem that needs addressing nationally, said Bar-Yam.

Alabama has 48 hospitals that offer obstetrical services, but only 15 have used donor milk through the Alabama milk bank. While Medicaid does cover donor milk in some states, it does not in Alabama, and neither do any insurance providers in the state. There are no federal regulations or Alabama laws that govern the use of donor milk.

National efforts at improving the availability of donor milk are focused on identifying safety-net hospitals - those with high percentages of Medicaid and uninsured patients - and providing education about the benefits of donor milk.

Bar-Yam said the use of donor milk could save hospitals money in the long run. Breastmilk has been shown to considerably reduce the risk of necrotizing enterocolitis, a gut infection that mainly affects premature babies and has a high mortality rate. Treatment can require expensive abdominal surgery.

"A hospital can purchase a huge amount of donor milk for one case of NEC that is prevented," she said.

Habchi said she hopes that as the milk bank continues to expand in Alabama, more resources will be available to pursue grants that could fund outreach and advocacy, and ultimately bring donor milk to more Alabama hospitals.

"Alabama has one of the lower breastfeeding rates in the nation, while having one of the highest infant mortality rates in the nation," she said. "Those two correlate."

VIEW COMMENTS

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Authorities ID man shot, killed in confrontation with Jeffco deputies

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Updated on July 19, 2017 at 8:12 AM, Posted on July 19, 2017 at 8:01 AM

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By **Carol Robinson**, crobinson@al.com

Authorities this morning released the name of a man shot to death during a confrontation with Jefferson County sheriff's deputies

The Jefferson County Coroner's Office identified the man as Daniel Thomas Reid. He was a 32-year-old white male who lived at the home where the shooting took place.

Sheriff's Chief Deputy Randy Christian said Tuesday night deputies received a call from a landlord who owned property in the 6300 block of Clay Palmerdale Road shortly after a 6 p.m. about a man who was allegedly harassing neighbors and threatening them with a gun. After talking to the neighbors, deputies attempted to talk to the suspect. Christian said the man - now identified as Reid - immediately became combative.

Deputies were told the man had a loaded gun, but they were not sure if it was on him or inside the home. As deputies tried to keep him from going into the house, Christian said the suspect, who is described as a large man, tried to fight deputies.



Clay suspect combative in deputy involved shooting

The Jefferson County Sheriff's Office said the suspect was Tased and shot twice before he was shot a third time as the

suspect tried to fight the deputies.

Reid was Tased twice, but was undeterred. He then pulled the prongs off his body and wrestled a Taser away from a deputy. Reid Tased a deputy, who then fired two shots at the suspect.

Reid fell to the ground, but Christian said he got back up and started to advance at deputies again. He was shot a third time, which was the fatal shot.

"Had our deputies hesitated from everything that I looked at and heard, we certainly would be talking about much more than one person killed," he said. "If you can wrestle a Taser from an deputy, you sure can wrestle a gun...the officers protected themselves as they should have."

Coroner's officials said Reid was shot at 6:30 p.m. and pronounced dead at 7:08 p.m.

The Alabama Law Enforcement Agency is investigating, as is standard procedure with all officer-involved shootings.

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Alabama bill would specify which crimes trigger the removal of voting rights

WRITTEN BY JORDAN LAPORTA ON MARCH 9, 2017 AT 2:21 PM CDT



MONTGOMERY, Ala. — A new bill on its way to the Alabama Senate would provide clarity over which criminal convictions would remove the voting rights of Alabama residents. Sponsored by Rep. Mike Jones (R-Andalusia), HB 282 unanimously passed in the House of Representatives thanks to the support of Republicans and Democrats.

Current Alabama law only states that those convicted of felonies involving "moral turpitude" lose the ability to vote. However, Alabama officials have had a hard time deciding what falls into that category.

The House bill specifically lists 42 different crimes that would disqualify a person from voting. Convictions for murder, forgery, crimes of moral terpitude, and several others are all included in the new definition.

Republicans have described the bill as compromise legislation. While Democrats ultimately supported the bill, Rep. John Knight (D-Montgomery) remains concerned about Alabamians losing their voting rights.

(h/t Alabama News Network)

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EXHIBIT 11

Group Wants Alabama to Educate Voters About New Voting Law

A voting rights group is asking a federal judge to force Alabama to tell people that they could be eligible to vote after previously being disqualified for a felony conviction.

July 6, 2017, at 4:55 p.m.

AP

By KIM CHANDLER, Associated Press

MONTGOMERY, Ala. (AP) — A voting rights group has asked a federal judge to force Alabama to tell people that they could be eligible to vote after previously being disqualified for a felony conviction.

U.S. District Judge W. Keith Watkins on Wednesday scheduled a July 25 hearing on the Campaign Legal Center's injunction request. The Campaign Legal Center last week asked Watkins to require the state to implement an education campaign and take other steps, after lawmakers approved legislation clarifying which felonies cause a person to lose voting rights.

The group also asked the state to reinstate eligible voters and disclose all voter registration applicants and voter registrants who were denied the right to vote on the basis of conviction in the past two years.

"HB 282 has the potential to restore access to the franchise for thousands of eligible voters who should never have been denied their rights in the first place," attorneys wrote.

Alabama is one of a handful of states that permanently strip some convicted felons of their right to vote. The 1901 Alabama Constitution says people convicted of crimes involving "moral turpitude" are no longer able to vote. However, the constitution doesn't define the term or list any crimes meeting the definition. Politicians for decades squabbled over what was a disqualifying crime.

Alabama lawmakers in May approved legislation clarifying that 46 types of felonies will cause someone to lose voting rights including robbery, assault, felony theft and drug trafficking but not offenses such as drug possession.

It's not clear how many people are affected by the new law. The new list is similar to a list that had been given as guidance to county registrars by the secretary of state in an election handbook, but it doesn't include some previously disqualifying crimes, such as third-degree burglary. The list to registrars was also only guidance, and not state law.

The center estimates the new law could restore voting rights to "thousands of eligible voters." Center officials say they have personally identified dozens who were wrongly told they couldn't vote.

Alabama Secretary of State John Merrill supported the legislation. Lawyers for the state wrote in a court filing that Merrill is "implementing it in a deliberate fashion."

"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," state lawyers wrote.

The Campaign Legal Center is representing plaintiffs in a lawsuit filed last year challenging Alabama's practice of stripping felons of their voting rights. Two of the 10 plaintiffs will be allowed to vote under the new law, but the rest will not.

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POLITICS 07/01/2017 03:26 pm ET

Suit Seeks To Force Alabama To Inform People About Restored Voting Rights

"The state is responsible for correcting the confusion that has wrongly disenfranchised voters for decades."



By Sam Levine



ICON SPORTS WIRE VIA GETTY IMAGES

Alabama's Republican secretary of state, John Merrill, told HuffPost in June that he wouldn't take action to specifically help individuals disenfranchised under an old felon voting law understand that they may now have the right to vote.

A federal court could force Alabama to educate eligible voters about a pivotal change to a state law that could potentially restore the voting rights of thousands of convicted felons.

The change could come as a result of a motion for a preliminary injunction filed in an ongoing lawsuit over felon voting qualifications in Alabama. The state had blocked people convicted of a crime of "moral turpitude" from voting since 1901 but never explicitly defined what constituted an offense of moral turpitude, although the law was limited to felonies in the 1990s. The ambiguity gave local election officials broad discretion to deny people the right to vote.

Alabama earned praise when it passed a law in May clarifying which felonies constituted "moral turpitude" and would therefore block people from voting, but Secretary of State John Merrill (R) told HuffPost in June that his office wouldn't take any action to make sure the thousands of people affected by the law actually know about it.

The change is sure to cause massive confusion, especially because local election officials had been granted broad discretion to deny people the right to vote under the old law. This means some eligible voters may have been told in the past that they couldn't vote and may continue to think they can't.

Plaintiffs in the case include a man who was blocked from voting because he was convicted of receiving property in 2003, was released from state prison in 2007 and completed his parole in 2016. In another case, a woman was told last year that she couldn't vote because of a conviction two decades ago for writing bad checks.

In the motion, the Campaign Legal Center, which is representing 10 plaintiffs suing the state over the moral turpitude law, said Merrill had not taken any meaningful action to advertise the changes to the law, such as updating his website, election forms or advising local voter registrars. With a voter registration deadline for a special election for U.S. Senate approaching at the end of July, the plaintiffs said Merrill must act to educate voters.

"The state is responsible for correcting the confusion that has wrongly disenfranchised voters for decades. In order for HB 282 to have any meaningful effect, Alabama must notify voters about their right and ensure they are able to successfully cast a ballot going forward," Danielle Lang, a lawyer at Campaign Legal Center, said in a statement.

In addition to promoting the changes in eligibility, the motion asks the court to require the state to automatically reinstate and notify voters who were disqualified to vote in the last two years but are now eligible. It also requests that the state produce a comprehensive list of all individuals who had been blocked from voting because of a conviction over the last two years and implement a public education plan targeted at people with convictions.

The Southern Poverty Law Center estimates that thousands of Alabamians would be affected.

While the state has yet to take action, the ACLU of Alabama and Legal Services Alabama plan to hold a series of clinics over the summer to educate eligible voters about the change.

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Sam Levine

Associate Politics Editor, HuffPost

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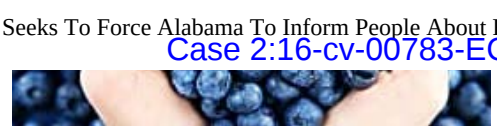
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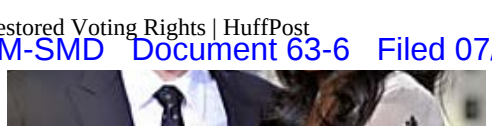






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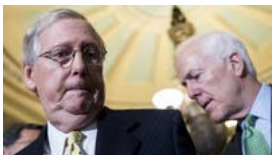
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POLITICS 06/21/2017 12:31 pm ET | **Updated** Jun 21, 2017

Alabama Won't Help Disenfranchised Citizens Understand If They Can Now Vote

"I'm not going to spend state resources" on that effort, Alabama's secretary of state says.



By Sam Levine



ICON SPORTS WIRE VIA GETTY IMAGES

Alabama Secretary of State John Merrill at a 2015 rally for then-presidential candidate Ted Cruz.

After Alabama clarified a law from its white-supremacist days that now could potentially extend voting rights to thousands, the state's top election official said he's not going to make any additional effort to help those affected register or understand the changes.

In May, Alabama Gov. Kay Ivey (R) signed legislation outlining which specific felonies constituted "moral turpitude" and would disqualify someone from the right to vote. The original law, enacted in 1901, disenfranchised anyone who had committed any crime considered to involve moral turpitude — a broad definition that for much of the 20th Century was used to keep blacks off voting rolls.

The Supreme Court found the language unconstitutional in 1985, and state lawmakers altered it to apply only to felonies. But which felonies were severe enough to disenfranchise an individual remained undefined until the new law was passed.

The Southern Poverty Law Center estimated the change could affect thousands of people

convicted of felonies that now won't constitute moral turpitude. Prior to the clarification last month, more than 250,000 people were disenfranchised in Alabama, which included 15 percent of the state's black population and less than 5 percent of its white population.

Advocates praised the move, but said more work needs to be done to educate people about the change. People told by an election official in the past they were ineligible to vote may now be eligible. It's also unclear what kind of legal process those need to go through to get on the rolls, said Artur Davis, the executive director of Legal Services Alabama.

But Alabama Secretary of State John Merrill (R) told HuffPost he was unaware of people being wrongly told they couldn't vote. While the state will continue its usual efforts to encourage people to register to vote, Merrill said he wasn't going to make an effort to focus on those whose felony convictions will no longer disqualify them — or may not have been reason enough to block them from registering in the past.

"I'm not going to spend state resources dedicating to notifying a small percentage of individuals who at some point in the past may have believed for whatever reason they were disenfranchised," he said. "But I am going to continue to spend state resources to promote the opportunity for all citizens to determine their eligibility and to assist them in becoming registered to vote and obtaining a photo ID so they can participate in whatever level they'd like to."

Danielle Lang, a lawyer at Campaign Legal Center in Washington representing 10 plaintiffs suing the state over the moral turpitude law, said she has a growing list of people who were disenfranchised but would now be eligible to vote under the clarified law. The reason people believed they were ineligible to vote, Lang said, is that they received a letter from the state telling them that.

"This is confusion that was wrought by the state," she said. "Under this newfound definition, it turns out [some] do have the right to vote. I don't see how anyone would know that unless they're kind of legislative junkies."

> **"This is confusion that was wrought by the state."**

—Danielle Lang, lawyer for the Campaign Legal Center

People affected by the new law may have to learn about it from Legal Services Alabama and the state's ACLU chapter, which will jointly hold at least three clinics this summer on the changes. The changes define fewer than 50 crimes — including murder, kidnapping and rape — as constituting moral turpitude.

Still, there's ample room for confusion. People convicted of felonies not defined as moral turpitude can apply to have their voting rights restored only if they pay paying certain fines and legal fees and meet other qualifications.

"Even though there is a new law restoring the right to vote to many people who've been disenfranchised, that right doesn't automatically restore itself," Davis said in an interview. "There has to be guidance from the state of Alabama on what the disenfranchised individual has to do to literally get back on the voter list."

Merrill said the ACLU and Legal Services Alabama were better suited to contact the people who would be affected by the new law. But Lang said federal law required the secretary of state's office to keep records of everyone who had been blocked from registering to vote, meaning Merrill could easily handle the task.

"The state created this problem by having an unconstitutional and arbitrary system of disenfranchisement," she said. They've taken a step to fix it. But when there are legal wrongs, there's a responsibility to fully remedy those harms."

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Sam Levine

Associate Politics Editor, HuffPost

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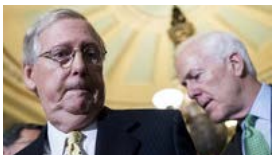
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Legal Aid Groups to Hold Voting Rights Restoration Clinics

Two legal groups plan to hold a series of clinics this summer to help Alabama residents take advantage of a new law that ensures most people with felony convictions can continue to vote.

June 18, 2017, at 10:32 a.m.

AP

MONTGOMERY, Ala. (AP) — Two legal groups plan to hold a series of clinics this summer to help Alabama residents take advantage of a new law that ensures most people with felony convictions can continue to vote.

The ACLU of Alabama and Legal Services of Alabama plan to hold a series of "restoration clinics" at churches in Birmingham, Mobile and Selma this summer.

Alabama lawmakers in May approved legislation clarifying that there are only certain types of felonies, such as murder and drug trafficking, that will cause someone to lose their right to vote. Previously, what was considered a crime of moral turpitude was up to interpretation.

The groups will hold the first clinic on July 8 at Brown Chapel A.M.E. in Selma to train volunteer lawyers and non-lawyers about the new law.

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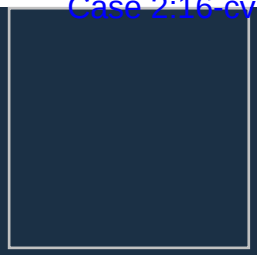
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The Opinion Pages | EDITORIAL

A Meaningful Move on Voting Rights in Alabama

By THE EDITORIAL BOARD MAY 31, 2017

Last week, more than 100 years late, Alabama took an important step toward excising a toxic slice of white supremacy from its Constitution and restoring voting rights to perhaps thousands of people, disproportionately black, with criminal records.

At the state's constitutional convention in 1901, lawmakers amended the Constitution to bar from voting anyone convicted of a crime involving "moral turpitude." They didn't define the phrase, but they were crystal clear about its intent: to preserve "white supremacy in this state" and fight the "menace of Negro domination" at the ballot box, as the convention's president said.

Authorities took advantage of the term's vagueness to apply it to offenses, even misdemeanors, that recently freed blacks were far more likely to be charged with. "The crime of wife-beating alone would disqualify 60 percent of the Negroes," one lawmaker said at the time.

The Supreme Court struck down the provision as racially discriminatory in 1985, but lawmakers revived it by restricting it to felonies. Its definition remained in the hands of local voting registrars, meaning that people with convictions had no idea whether they were prohibited from voting; their eligibility often depended on what county they lived in. It has continued to fall heavily on blacks — nearly one in five of whom are disenfranchised statewide, more than triple the rate for whites. In all, about a quarter million Alabama residents, or 8 percent of the voting-age population, can't vote because of a criminal conviction.

On May 24, Gov. Kay Ivey, a Republican, signed a bill that lists the several dozen crimes considered acts of "moral turpitude." The list includes crimes like murder and rape, and — importantly — excludes low-level drug offenses like possession, by far the most common felony conviction in the state. The bill had bipartisan support, as similar measures have had around the country — an encouraging sign that people of all political stripes are beginning to see felon-disenfranchisement laws for the racist, pointless, anti-democratic shams they are.

Alabama's new law is certainly an improvement, but it's far from optimal. There's no clear method for informing people who were previously kicked off voter rolls that they may now be eligible to vote again. Also, if "moral turpitude" is going to be a factor in determining a person's fitness to vote, then why does the list

leave out public corruption, bribery and other offenses that would seem to be far more relevant to that determination?

Of course, there's neither sound logic nor evidence to support the disenfranchisement of anyone with a criminal conviction. To the contrary, evidence suggests that keeping prisoners connected to their civic responsibilities makes it easier for them to rejoin society. At the very least, no one should be denied the right to vote after serving out his or her complete sentence. (Alabama allows some people to regain voting rights after paying lots of fines and fees, which operate as effective poll taxes on poorer residents.)

Roughly six million Americans are unable to vote because of a criminal conviction. Alabama's law is a small but meaningful move toward welcoming more of those people back to full participation in civic life, and to counteracting the stench of white supremacy that lingers there.

A version of this editorial appears in print on May 31, 2017, on Page A20 of the New York edition with the headline: A Meaningful Move on Voting Rights.

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POLITICS 05/26/2017 03:35 pm ET

Alabama Tweaks White Supremacist Law To Potentially Restore Voting Rights To Thousands

But many former felons still face barriers to the ballot box.



By Sam Levine



MARVIN GENTRY / REUTERS

Alabama Gov. Kay Ivey (R) speaks on April 10 after being sworn in.

Alabama Gov. Kay Ivey (R) signed a law this week to clarify language in the state constitution that many say worked to systematically prevent African-Americans from voting.

During a 1901 constitutional convention openly called to establish white supremacy in the state, the Alabama constitution was amended to disenfranchise anyone who had committed a misdemeanor of “moral turpitude.” The Supreme Court found the language unconstitutional in 1985. But lawmakers altered the language slightly — making it apply only to felonies — and reinserted it into the constitution in the 1990s.

And because there wasn’t a set definition of which felonies constituted a crime of moral turpitude, local election officials had broad authority to deny people the right to vote.

People who have been convicted of such crimes could vote if they paid fines and fees — something that effectively constitutes a poll tax. Some 250,000 people were disenfranchised because of the law, including about 15 percent of the state’s African-American voting

population and less than 5 percent of its white population.

The law Ivey signed this week defines fewer than 50 crimes — offenses including murder, kidnapping and rape — that constitute a felony of "moral turpitude."

"Up until the passage of this bill, there was absolutely no definition of who had the right to vote and who didn't," said Danielle Lang, a lawyer with the Campaign Legal Center, which brought a lawsuit against Alabama last year over the moral turpitude law.

"The result of that, I think, is that by and large almost everyone was deterred from applying to vote because you were asked to sign under penalty of perjury that you had not been convicted of a disqualifying felony," she said. "Well, there was no way to know if your felony was disqualifying or not."

> **"Up until the passage of this bill, there was absolutely no definition of who had the right to vote and who didn't.**
>
> —Danielle Lang, a lawyer with the Campaign Legal Center

It is unclear how many people will be affected by the change, but the Southern Poverty Law Center estimates it could be thousands. Yet some say the new law doesn't go far enough to address racial disparities in the law because it doesn't include white-collar crimes such as fraud and public corruption.

Lang said she's still waiting to see data addressing the racial impact of the new moral turpitude definitions, but that she thinks some of them are puzzling.

"The absence of white-collar crimes in general are kind of glaring. Why theft crimes would be included, but other kind of white-collar crimes that are the equivalent of theft, like fraud type of crimes, is confusing to me," she said. "It leads one to wonder whether it has to do with who falls into those different categories."

She added that much of the success of the new law will depend on how much communication there is to voters — for example, whether the state informs people who were kicked off the

voting rolls that they are now eligible to vote.

Lang noted people who do commit crimes of moral turpitude under the new law would still be subject to paying fees or fines, something she said she'd continue to try to get removed.

"I can't really imagine how it's anything other than a poll tax," she said. "If you have two individuals who are similarly situated that have exactly the same crimes, the only distinction between whether or not they can vote, is whether they can afford to pay the fines and fees the state has assessed against them."

Alabama Secretary of State John Merrill (R) used an analogy about ice cream as he dismissed concerns that the new law still could deprive many people of the right to vote.

"If we had a stand in Anytown, U.S.A., and in that stand on Main Street we're giving out ice cream," he told ThinkProgress. "Anybody can come. They can only get one cone and it's vanilla. There's going to be some people who are gonna cry because they can't get but one scoop, and there's gonna be some people who are gonna cry because we don't have chocolate."

"I don't worry about the people who want two scoops," he said, "and I don't worry about the people who want a different flavor."

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Alabama's Republican Governor Just Helped Thousands of Felons Get Their Voting Rights Back

"This is a significant day for voting rights in Alabama."

SAMANTHA MICHAELS MAY. 25, 2017 9:46 PM



hermosawave/iStock



Alabama Gov. Kay Ivey signed a law on Wednesday that could restore voting rights to thousands of felons, many of them African American, in a state where about 250,000 people are disenfranchised because of their criminal records.

The change is all about finally defining a key legal phrase in the state's constitution: "moral turpitude." Currently, Alabama blocks anyone from voting who has committed a crime that falls into this category. But the phrase "moral turpitude" was not defined when the state constitution was adopted in 1901—and this very vagueness, critics say, has been used by state officials to selectively prevent black people from voting.

Over the years, lawmakers never came up with a list of crimes that applied, leaving discretion to unelected county voter registrars, with widely different interpretations. As NPR put it, felons "in each of Alabama's 67 counties might get 67 different answers to whether their crime was one of moral turpitude."

In 2005, the state's attorney general tried to clarify that moral turpitude included acts of "baseness, vileness or depravity in the private and social duties which a man owes to his fellow men or to society in general." The attorney general and the state's court administration each came up with conflicting lists of crimes—one included hundreds of offenses, the other just 70—leading to confusion and inconsistency.

The Definition of Moral Turpitude Act was passed by state lawmakers last week and signed by the governor, a Republican, on Wednesday afternoon, according to a spokeswoman from the governor's office. The law creates a list of fewer than 50 crimes of moral turpitude, including murder, kidnapping, and sexual abuse—though notably, white-collar crimes such as public corruption are left off the list.

It is still unclear how many felons will be affected by the new measure—the Southern Poverty Law Center estimates it could be thousands, many of them African American, though Alabama Secretary of State John Merrill has suggested that fewer will be affected. In any case, by eliminating the gray area in the law, registrars in charge of the state's voter rolls will now have clearer guidance while registering voters.

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Fifteen percent of black residents in the state have been kept away from the polls because of their criminal records, according to the Campaign Legal Center, which filed a lawsuit last year arguing the state's moral turpitude rule was discriminatory. "Felony disenfranchisement laws have the undeniable effect of diminishing the political power of minority communities," said Danielle Lang, an attorney for the center. Indeed, at the time of the state's constitutional convention, the president of the convention said the rule was intended to "establish white supremacy" in the state.

The governor did not make any public comments about the new law upon signing it.

Nationally, about 6 million people with felony records were not able to vote in the 2016 election, according to the Sentencing Project, a criminal justice research organization. More than 7 percent of the adult African American population couldn't vote, compared with 1.8 percent of other Americans.

Alabama is one of 12 states that permanently disenfranchises some or all people who have ever been convicted of felonies. "We commend Governor Ivey and the Alabama State Legislature for recognizing that Alabama law left the voting rights of too many citizens—especially Black citizens—hanging in the balance because of a legal ambiguity," the NCAAP Legal Defense and Educational Fund wrote of the Definition of Moral Turpitude Act. The group said there was more work to do, calling on the state to also repeal its voter ID law.

Still, it said, "This is a significant day for voting rights in Alabama."

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SAMANTHA MICHAELS

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EXHIBIT 12

Exhibit 12 is a disc and will be filed in hard copy.

EXHIBIT F
(Attachment No. 12)
is being filed conventionally because it is a CD.

EXHIBIT G

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.	)	

STATE OF ALABAMA)
)
COUNTY OF MONTGOMERY)

DECLARATION OF JAMES DONALD MILLIGAN

1. My name is James Donald Milligan. I have been on the Board of Registrars of Marshall County and the chair of that board for approximately 10 years. I have also been the president of the Alabama Association of the Boards of Registrars for approximately 6 years. I am over the age of 19 and am qualified to give this declaration. The information included in this declaration is based on my personal knowledge and/or my review of my records.

2. Before I remove an individual from the voter registration rolls for committing a felony of moral turpitude, I mail a certified letter to that individual. That letter states:

> "In accordance with Sections 17-4-4 and 17-4-35, Code of Alabama, as amended, the MARSHALL County Board of Registrars has received notification that you have been convicted of a felony.
>
> The Board of Registrars has determined, pursuant to Article VIII, Section 177 of the Constitution of Alabama of 1901, 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.

Section 17-4-3 requires that you be notified by certified mail that the Board intends to strike your name from the list of registered voters 30 days after the date of this letter.

If you believe the Board has made this decision in error, please provide a response to the Board within 30 days after the date of this letter. Please explain why you believe this action to be incorrect and include any official documentation that may support your claim.

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 this letter.

Once your name is stricken from the voter list, Section 17-4-3 provides that you may appeal the decision of the Board of Registrars without giving security for costs. In accordance with Section 17-3-55, you must file your appeal with the Judge of Probate within 30 days of your name being stricken from the voter list. In the event that you appeal, your name will be restored to the voter list during the appeal process, pending final resolution of the matter."

3. When I have received an application from a person who has been convicted of a felony involving moral turpitude, I follow the process as described in the letter and the Alabama Election Handbook. I have never referred any of those individuals for prosecution. I have never heard of any other registrars referring such an individual for prosecution.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on July ___, 2017.

James Donald Milligan