



THE ALABAMA ALLIANCE
TO RESTORE THE VOTE

THE ALABAMA RESTORATION OF VOTING RIGHTS ACT OF 2007

Why Restoration Is Right

A serious problem: More than a quarter of a million Alabama citizens are barred from the polls by a law that permanently disenfranchises people who have been convicted of felonies involving “moral turpitude.” Almost half of them are African American.

A second chance: When people have served their prison time and reentered the community to live, work, raise families, and pay taxes alongside the rest of us, they deserve a second chance at full citizenship. They deserve to have a say in their own government.

A boost for democracy: Increased voter participation would strengthen democracy and make our government more responsive to the rich diversity of our constituents.

A path to rehabilitation: People who vote are more likely to feel connected to their communities and therefore to avoid falling back into crime. Studies show that, among those who have been arrested, voters are less than half as likely to be re-arrested as non-voters.

An opportunity for redemption: Restoring the right to vote is about redemption and forgiveness. Bad acts should be punished; but those who go astray should also be given an opportunity to live a just and righteous life.

A simple, cost-effective solution: Automatic restoration of voting rights reduces red tape, administrative headaches, and expense by eliminating the current bureaucratic system for determining eligibility.

Why the Current Restoration Process Is Inadequate

A process overwhelmed: Under current law, the Board of Pardons and Paroles is charged with issuing Certificates of Eligibility to Register to Vote to people who have completed their sentences. According to a 2006 report, during one 22-month period, 4,226 applications for restoration of voting rights were filed with the Board, at an average rate of 192 per month. Many Alabamans want to regain the right to vote, but the high volume of applications has overwhelmed the board's capacity.

A long wait: In more than 80% of cases, the Board does not process applications within the time frames established by law. Illegal delays of months and even years block thousands of eligible voters from the polls.

A big expense: The one-at-a-time restoration process administered by the Board is inefficient and expensive. In order to comply with the law, the Board would have to devote considerable extra resources to this process.

A black hole: Some applications seem to fall into a black hole, with the applicants never receiving any response from the Board.

Recent Court Decision: *Gooden v. Worley*

Background: Alabama's Constitution deprives people of the right to vote if they are convicted of felonies involving "moral turpitude." Once such persons complete their sentences and satisfy certain other conditions, they can apply for a Certificate of Eligibility to Register to Vote. People who commit felonies *not* involving moral turpitude never lose their right to vote.

The Alabama Secretary of State told voter registrars not to register *any* people with felony convictions, unless and until they applied to the Board of Pardons and Paroles for a Certificate of Eligibility. At the same time, the Board took the position that it could not issue such a Certificate to people who never lost their right to vote in the first place. Consequently, many individuals who were convicted of felonies not involving moral turpitude found themselves in a Catch 22, unable to register to vote even though they never actually lost their right to vote.

The decision: On August 23, 2006, Jefferson County Circuit Judge Robert S. Vance, Jr. ruled that the policy of disenfranchising all individuals with felony convictions violated the state Constitution. Judge Vance called on the legislature to define the term "moral turpitude" to provide clear guidance on which convictions do and do not result in the loss of voting rights.

What it means: The judge's ruling highlights how Alabama's felony disenfranchisement system illegally denies eligible men and women the right to vote. The vagueness of "moral turpitude" is only one piece of the problem. Creating a fair and democratic voting system in Alabama requires the legislature to go beyond the narrow task of statutory definition.

Solution: The Alabama Restoration of Voting Rights Act

Automatic restoration after incarceration: The bill would restore voting rights to people upon their discharge from incarceration. A person living in the community would automatically have the right to vote, with no additional bureaucratic burdens imposed on either the voter or the state.

Notification: The bill would require courts to inform criminal defendants that they will lose the right to vote if they are convicted of a felony involving "moral turpitude" and sentenced to a term of incarceration. Likewise, the bill would require prison officials to inform inmates that they will regain the right to vote when they are discharged.

Voter registration: The bill would require corrections officials, as part of the discharge process, to offer inmates assistance with voluntary voter registration.

Maintaining an accurate voter registration database: The bill would ensure that names are removed from and then restored to the state's computerized list of registered voters by electronic information-sharing between corrections agencies and elections agencies.

Training and Education: The bill would charge the Secretary of State's office with educating judges, corrections officials, elections officials, and members of the public about the new law.

Please support the Alabama Restoration of Voting Rights Act.

Strengthen our democracy. Give our neighbors a second chance.