



KNOW YOUR VOTING RIGHTS

A Misdemeanant and Ex-Felon's Guide to Voting in North Carolina

STEPS FOR MISDEMEANANTS AND PERSONS AWAITING TRIAL

In North Carolina, being convicted of a misdemeanor does not mean that you lose your right to vote. You can vote while serving your misdemeanor sentence or while awaiting trial for a felony or misdemeanor. Follow the steps below to vote in the next election.

STEP 1: REGISTER TO VOTE

- ◆ If you are not already registered, you can do so by completing a Voter Registration Application. You may get one from your County Board of Elections office, public library, or online at www.ncsbe.gov.
- ◆ On the form, it asks for your residential address information. Use the address of the place where you would live if you were not in jail.¹ This address is the place where you intend to return after imprisonment. If you do not have a driver's license, you will be asked to include part of your Social Security number.
- ◆ Mail the completed form to the County Board of Elections in the county where you would live if you were not in jail. You may find your County Board of Elections by contacting the State Board of Elections. Their contact information is found on page two of this document. The completed form must include the physical address where you would live if you were not in jail so that you can be listed in the proper voting district. If you write a P.O. Box as your street address, the form will not be processed. (However, a P.O. Box may be used as your mailing address.)
- ◆ The County Board of Elections must receive your completed form at least **25 days before an election** if you wish to vote in it. Otherwise, you can register at any time. You do not need to register for each election.
- ◆ The County Board of Elections will send a card to the address you listed on the form with the name of your precinct and your polling place.

STEP 2: VOTE

- ◆ You can vote in person at your polling place on Election Day. You may also vote using an Absentee Ballot. If you are going to be incarcerated on Election Day, you can vote by mail using an Absentee Ballot.
- ◆ To request an **Absentee Ballot**, a voter or the voter's near relative² or legal guardian must use the State Absentee Ballot Request form to request the ballot. Request forms are available at the State Board of Elections' office, on its website, and at county boards of elections' offices. Absentee ballots are made available 50 days before the election until 5:00 p.m. on the Tuesday a week before an election.
- ◆ You can register to vote and request an absentee ballot **at the same time**. Be sure that you send your mail-in voter registration form and your State Absentee Ballot Request form early enough to receive, complete, and mail your Absentee Ballot to your County Board of Elections.
- ◆ If the Board of Elections determines that you are eligible to vote, they will mail the absentee ballot to you. You may be asked to send a document showing your name and address. You may request that the ballot be mailed to any address including the jail where you are incarcerated. The ballot can also be mailed to a friend or relative, and that person can bring the ballot to you. However, only you may vote the ballot.
- ◆ Please follow the instructions on the Absentee Ballot. For example, the Absentee Ballot must be witnessed by two persons; if not, the ballot will not be counted.
- ◆ Early voting, called "One-Stop" voting, begins on the 2nd Thursday before an election and ending on the Saturday before Election Day. You should check with your County Board of Elections for the exact dates, times and locations for early voting.

¹ Voting where you would live if not incarcerated is what the law dictates. See, N.C.G.S.A. § 163-57.

² "Near relative" means spouse, brother, sister, parent, grandparent, child, grandchild, mother-in-law, father-in-law, daughter-in-law, son-in-law, stepparent, or stepchild. See, N.C.G.S.A. § 163-230.1.

STEPS FOR FORMER FELONS

If you are convicted of a felony in North Carolina, you temporarily lose your citizenship rights, including your right to vote. **Any prior registration you had before your felony conviction is cancelled by the County Board of Elections with no action on your part.** Any attempt to register to vote while you are an active felon is a felony. After completing all the terms of your sentence (including parole, probation, and restitution), you do not have to do anything to have your citizenship rights restored. Those rights are automatically restored (N.C.G.S.A. § 13-1). Registering to vote is all you will need to do before voting after you are released.

If you have completed all parts of your sentence for a felony conviction or have been pardoned, you are eligible to vote in North Carolina. To avoid potential difficulties with registering and voting, you should ask for a Certificate of Restoration of Forfeited Rights of Citizenship from your releasing officer (N.C.G.S.A. § 13-2). This is **not necessary** to register and vote, but may make it easier. Follow the steps below to vote in the next election.

STEP 1: REGISTER TO VOTE

- ◆ Former convicted felons must register again to vote in their current county of residence.
- ◆ You can register by completing a Voter Registration Application. You may get one from your County Board of Elections office, public library, or online at www.ncsbe.gov.
- ◆ Mail the completed form to the County Board of Elections in the county where you live. You may find your County Board of Elections by contacting the State Board of Elections. Their contact information is found below.
- ◆ The completed form must include your physical street address so that you can be listed in the proper voting district. If you do not have a driver's license, you will be asked to include part of your Social Security number. If you use a P.O. Box as your street address, the form will not be processed. (However, a P.O. Box may be used as your mailing address.)
- ◆ The County Board of Elections must receive your completed form at least **25 days before the election** if you wish to vote in it. Otherwise, you can register at any time. You do not need to register for each election.
- ◆ The County Board of Elections will send a card to the address you listed on the form, with the name of your precinct and your polling place.

STEP 2: VOTE

- ◆ You can vote at the polling place listed on your voter card, a One-Stop polling site, or by absentee ballot. Any North Carolina registered voter who is qualified to vote can request an absentee ballot for any election in which absentee voting is allowed. No special circumstance or excuse is needed to receive and vote a mail-in absentee ballot.
- ◆ For directions on how to vote by absentee ballot or at a One-Stop voting location, see Step 2 on the previous page.

REMEMBER, IF YOU MOVE WITHIN THE COUNTY, YOU MUST NOTIFY YOUR COUNTY BOARD OF ELECTIONS OF THE MOVE. IF YOU MOVE OUT OF THE COUNTY OR STATE, YOU MUST RE-REGISTER TO VOTE IN THE NEW COUNTY OR STATE. YOU MAY ALSO USE THE SAME FORM TO CANCEL YOUR OLD REGISTRATION IN THE OLD COUNTY OR STATE.

For additional information on voter registration, absentee ballots, or locating your County Board of Elections, contact:

State Board of Elections
P.O. Box 27255
Raleigh, NC 27611-7255
Telephone: (919) 733-7173
Website: www.sboe.state.nc.us

Or call Democracy North Carolina at:
919-286-6000 or toll-free at 1-888-OUR-VOTE

If you have ever been a misdemeanor or felon and you are not sure of your voting rights or have received conflicting information from government officials about your voting rights, please contact:

American Civil Liberties Union of North Carolina
P.O. Box 28004, Raleigh, NC 27611
(919) 834-3466
contact@acluofnc.org
www.acluofnorthcarolina.org