

VOTING RIGHTS RESTORATION

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Agenda

- What's at Stake?
- Defining “Crimes of Moral Turpitude”
- Certificate of Eligibility to Register to Vote
- The Path to Rights Restoration
- Success Stories
- Opportunities to Get Involved
- Questions?

What's at Stake? (2016 estimates)

- 6 million people in the U.S. cannot vote due to felony convictions
- These 6 million people are concentrated in 12 states that can take away your right to vote forever

What's at Stake?

- 286,266 people disenfranchised due to felony disenfranchisement in Alabama
 - 7.62% of the state population

What's at Stake?

- Disproportionately affects African Americans
 - 143,924 African Americans disenfranchised
 - 15.11% of total AA population
 - Around 30% of total AA, male population

What's at Stake?



- Americans being able to access our democracy
- Expressing full rights as citizens
- Advocating for self and communities
- Voicing opinions
- Feeling empowered and actively involved in society

The Law

Why are we talking about “Moral Turpitude?”

Article VIII, Section 182 of the Alabama Constitution of 1901 disenfranchised citizens with convictions of “crimes of moral turpitude.” Lawmakers never defined the term.

Interpreted differently in each of the 67 counties of Alabama.

The Law

2017 Definition of Moral Turpitude Act

- Limits the convictions that disqualify someone from voting to around 40 specific crimes (p. 16).
- The disqualifying list does not include any drug-related crimes except for trafficking.
- The list does not include any 3rd degree convictions (except for robbery 3rd) or crimes prosecuted under the youthful offender statute.
- The list does not include many white collar crimes, such as fraud and embezzlement.

The Path to Rights Restoration: Step 1

- Page 6 - take down the person's information
- Determine whether a person's conviction is on the list of disqualifying convictions
 - If not, register them to vote
- Some people were wrongly told that they cannot vote – this list is definitive
- Some people cannot remember their exact convictions – we can help
- Convictions for attempts are treated the same as the underlying conviction

Disqualifying Felonies In Alabama

If you have NOT been convicted of one of the following, then you NEVER lost your right to vote, and you ARE eligible to register now.

- Aggravated child abuse
- Assault (1st or 2nd degree)
- Attempt to commit an explosives or destructive device or bacteriological or biological weapons crime
- Bigamy
- Burglary (1st or 2nd degree)
- Conspiracy to commit an explosives or destructive device or bacteriological or biological weapons crime
- Dissemination or public display of obscene matter containing visual depiction of persons under 17 years of age involved in obscene acts
- Distribution, possession with intent to distribute, production of, or offer or agreement to distribute or produce obscene material
- Electronic solicitation of a child
- Endangering the water supply
- Enticing a child to enter a vehicle for immoral purposes
- Facilitating solicitation of unlawful sexual conduct with a child
- Facilitating the online solicitation of a child
- Facilitating the travel of a child for an unlawful sex act
- Forgery (1st or 2nd degree)
- Hindrance or obstruction during detection, disarming, or destruction of a destructive device or weapon
- Hindering prosecution of terrorism
- Human trafficking (1st or 2nd degree)
- Incest
- Kidnapping (1st or 2nd degree)
- Manslaughter
- Murder (including non-capital, reckless, and felony murder)
- Parents or guardians permitting children to engage in production of obscene matter
- Possession or possession with intent to disseminate of obscene matter containing visual depiction of persons under 17 years of age involved in obscene acts
- Possession, manufacture, transport, or distribution of a destructive device or bacteriological or biological weapon
- 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
- Production of obscene matter containing visual depiction of persons under 17 years of age involved in obscene acts
- Production or distribution of a destructive device or weapon intended to cause injury or destruction
- Prohibited acts in the offer, sale, or purchase of securities
- Rape (1st or 2nd degree)
- Robbery (1st, 2nd, or 3rd degree)
- 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
- Sexual abuse (1st or 2nd degree)
- Sexual abuse of a child under 12 years old
- Sexual torture
- Sodomy (1st or 2nd degree)
- Soliciting or providing support for an act of terrorism
- Terrorism
- Theft of lost property (1st or 2nd degree)
- Theft of property (1st or 2nd degree)
- Theft of trademarks or trade secrets
- Torture or other willful maltreatment of a child under the age of 18
- Trafficking in cannabis, cocaine, or other illegal drugs or trafficking in amphetamine or methamphetamine
- Traveling to meet a child for an unlawful sex act
- Treason

For more information and assistance, visit: <http://bit.ly/restorethevote>

The Path to Rights Restoration: Step 5

- If a person is ineligible for a CERV because of the type of conviction (on the list of ineligible convictions) or because they are still on probation, they may still apply for a pardon (page 14)
- Totally discretionary
- There will be an investigation and a hearing
- Ineligible for a pardon if convicted of treason, impeachment, or if a death sentence has been imposed but not commuted

Success Stories

Mr. Jones has never voted in his life. He is 52 years old and was denied the right to vote when he tried to register in 2008, due to his 2003 Burglary 3 conviction (his only felony conviction). I went with Mr. Jones to the Registrar, where they made it very simple for him to register to vote. They did not, however, initially allow him to get a free voter ID.

Mr. Jones recently had his wallet stolen and has been homeless for the past three days. He is on the third (and last) day that the Salvation Army will allow him to stay there without a photo ID. He tried to advocate for himself at the Registrar, but I had to step in and help. They eventually let Mr. Jones request a birth certificate to get his voter ID (which that had not initially offered). I was at the Registrar with Mr. Jones for 1.5 hours, when they finally gave him his voter ID.

Mr. Jones is thrilled to be able to exercise his vote on November 6, something that he's been wanting to do for years. He would not have been able to vote (even though they would have let him register) without the free voter ID. He also would not have been able to stay another night at the Salvation Army without this ID.

The Path to Rights Restoration: Step 6

1. Direct Services- helping people directly
 - Clinics: people come to a set location to receive services
 - Canvassing
 - Phonebanking purged voter lists
 - Tabling: meet people where they're at
 - Libraries
 - Places with lots of foot traffic
 - Movie screenings
 - Transportation hubs
 - Malls
2. Workshops – training others on restoration
 - Attending regular meetings
 - Workshops for the general public
 - Workshops for people in particular professions (public health, librarians)
3. Public Education – get the word out that people with convictions may be eligible
 - Earned media (radio, newspaper, TV news)
 - Social media
 - Paid media – flyers, ads

Opportunities to Get Involved

Ben May Library Tabling

- Monday – Saturday
- Best time is 9:00am – 12:00pm

Saturday Canvassing

Meals for the homeless

- Mondays 10:30am – 1:00pm (FCC on Government)
- Tuesdays 6:00pm – 7:30pm (St. Louis Street Baptist Church)

Questions?

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Resources: www.alabamavotingrights.com