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MANUAL FOR CIVIL RIGHTS RESTORATION

A Manual to Help People with Convictions Vote in Tennessee

Table of Contents

	Introduction – 3
	Working with Disenfranchised Individuals - 4
	The Path to Rights Restoration – 5
	Step 1: Loss of the right to vote - 5
	Step 2: Certificate of Restoration Eligibility - 7
	Step 3: Apply for Rights Restoration - 10
	Step 4: Register to Vote - 10
	Step 5: Vote! - 11
	Step 6: Petition a Court for Restoration - 12
	Step 7: Pardons - 13
	Out of State Convictions - 15
	Rights Restoration Worksheet – 16
	Know Your Rights! Voting After a Conviction – 18
	Certification of Restoration of Voting Rights Application – 20
	Tennessee Mail-In Application for Voter Registration – 22
	Index of Resources – 24

For more information or assistance, contact 202-736-2200 or
RestoreYourVote@CampaignLegalCenter.org or visit www.Restoreyourvote.org.

Introduction

In Tennessee, the law regarding which people with past criminal convictions can and cannot vote has been confusing. Whether a person can vote depends on the year of their conviction, what they were convicted of, whether they are able to pay their legal debt, and whether they have completed their sentence(s). Moreover, some people (but not all) who are eligible to get their right to vote back after a conviction are required to file a request to restore their right – a process that many do not know about. As a result, many Tennesseans with past convictions who are or could be eligible to vote simply do not know that they can participate.

But a little bit of education and outreach will go a long way to assisting people to exercise their fundamental right to vote. This manual is designed to arm citizens with convictions, activists, and advocates with all the tools you'll need to help people in Tennessee know if they can vote or restore their right to vote

Felony disenfranchisement laws silence the voices of over 5 million citizens who are banned from the polls today. As many as 75 percent of these disenfranchised voters are no longer in prison but are not able to vote. Moreover, there are an additional 18 million people across the United States who have felony convictions who are able to vote under law but many of whom believe that they cannot vote.

Citizens with past felony convictions work and pay taxes, and should have a say in deciding their community's and the nation's laws that directly impact their lives. Denying these citizens with past felony convictions the opportunity to fully integrate as members of society sends the message that they will permanently be treated as second-class citizens. Studies have shown that restoring the vote to persons leaving prison could aid their transition back into community life.

Many felony disenfranchisement laws were deliberately designed to disempower minority voters. They continue to disproportionately impact people of color and distort our democracy. Disenfranchisement not only impacts individual with past convictions; it also disempowers the minority communities to which many belong.

Some U.S. states have no restrictions on voting, while others have a lifetime ban upon conviction. Twelve states, including Tennessee, permanently disenfranchise some or all citizens convicted of felony offenses.

Based on the most recent estimates Tennessee's law disenfranchises over 421,000 people in the state. The law denies the right to vote to 8.2% of the entire state-wide

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voting-age population, including more than 21% of the adult black voting-age population.

The good news is that for many people with convictions, their voting rights can be restored. Depending on the year of their conviction, some never lost their right to vote at all, though they may believe otherwise. This manual first details how you can determine what a person's path to rights restoration will look like: if they ever lost their right to vote and whether and how they can apply to have it restored. It also includes template versions of the paperwork a person may need to complete and contact information for some groups who can help further.

We hope that this information and material will be of use to those who seek to strengthen democracy and their communities by empowering those whose voices have been silenced by felony disenfranchisement.

Working with Disenfranchised Individuals

When assisting people with convictions, it is important to keep in mind that they may have particular sensitivities and privacy concerns. So, please:

- Be welcoming and personable. Understand that there can be guilt and stigma associated with having a criminal record.
- Be patient. The person you are helping may be emotional or nervous in recalling the details of their conviction. Be aware that other issues may be involved, such as mental health concerns or disability. The person may need assistance with reading and writing.
- Respect the privacy of the person you are assisting. Keep the conversation private by speaking at a reasonable volume and finding a space away from others. All assistance should be confidential.
- Don't pry into their personal business. Questions of innocence or morality regarding their conviction are irrelevant to rights restoration and should not be discussed.
- Do not pass judgment. It is important to enter this work aware of your own biases. Be mindful of your tone of voice and facial expressions. Do not talk down to the people you are assisting.
- Language is important. Use people-first language to refer to human beings, like, "people with felony convictions" or "people who are formerly incarcerated", never "felons" or "convicts."
- The bottom line is to remember that all people deserve dignity and respect.

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The Path to Rights Restoration

This section details the steps for determining the voting rights of individuals with convictions in Tennessee. First, you must determine whether the person has lost the right to vote, and second, whether the person is eligible to have their right to vote restored.

After you have read through this section or helped a few people through the process, it may be easier to refer to the short Rights Restoration Worksheet when assisting a person with a conviction.

Step 1: Determine whether the person ever lost their right to vote.

Though many people with felony convictions have lost their right to vote, depending on the circumstances of the conviction, many people who believe or who even have been told that they cannot vote, never lost the right to vote to begin with.

A few quick notes about people who are always eligible to vote:

- **People with misdemeanor convictions only. Misdemeanors do not lead to loss of the right to vote.**
- **People whose felony convictions have been expunged:**

If someone has had their felony convictions expunged, they retain the right to vote and may answer “no” when asked if they have a felony conviction on the voter registration form. There is no need to apply for rights restoration.¹

- **People whose convictions have been reversed or fully pardoned.**

A person with a pardon or whose conviction has been reversed should be eligible to vote. They may be asked to submit documentation before they can register to vote.² Please contact CLC to help clarify this procedure.

Out-of-state and Federal Convictions: These convictions will require a different

¹ *Restoration of Voting Rights*, TENN. SEC'Y OF STATE, <https://sos.tn.gov/products/elections/restoration-voting-rights> (“If your conviction has been expunged, you may answer ‘No’ when asked if you have a felony conviction on the voter registration form.”).

² TENN. SEC'Y OF STATE, ELIGIBILITY TO VOTE AFTER A FELONY CONVICTION, https://sos-tn-gov-files.tnsosfiles.com/forms/Eligibility%20to%20Vote%20after%20Felony%20Conviction.pdf?VqqFjxmz7DwdD7_jLHbDHXYtLmn2SiPZ (“Conviction prior to January 15, 1973 . . . Even if you were convicted of a [disqualifying] crime . . . you still have the right to vote if you can show that . . . your conviction was reversed on appeal or expunged, if you received a full pardon, or if you have your voting rights restored.”).

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analysis to determine whether the person lost the right to vote. Please contact Campaign Legal Center with questions about such convictions. While these convictions require additional analysis, even if a person lost the right to vote because of an out-of-state or federal conviction, they may be able to petition to have a circuit court in Tennessee restore their full rights of citizenship.³

Tennessee Convictions:

In Tennessee, whether a person loses the right to vote because of their conviction depends on (i) the date of the conviction and (ii) the crime for which they were convicted.

First sort individuals based on the date(s) of their conviction(s): before January 15, 1973, between January 15, 1973 and May 17, 1981, or after May 17, 1981.

A. If the person's conviction was before January 15, 1973:

Was the person convicted of any of the following offenses?

- Abusing a female child;
- Arson and felonious burning;
- Bigamy;
- Bribery;
- Burglary; felonious breaking and entering a dwelling house; felonious breaking into a business house, outhouse other than a dwelling house; larceny; horse stealing; robbery; receiving stolen property; stealing bills of exchange or other valuable papers, counterfeiting, forgery;
- Destroying a will;
- Incest; rape; sodomy; buggery; or
- Perjury; subornation of perjury

a. If NO, then they have never lost the right to vote. **Skip to step 4 to help them register to vote.**

b. If YES, did the judgment of conviction include a statement rendering the crime "infamous"?

1. If they answer yes, then they have lost their right to vote. They will need to petition the court to restore their right to vote. **Skip**

³ A person with an out of state or federal conviction should be able to petition for rights restoration as long as their conviction is not the same as one of the permanently disqualifying Tennessee convictions listed below.

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to step 6 for more information on that process.

2. If they do not know, please contact us and we will make an effort to help find their records.

3. If they answer no, then they never lost the right to vote and may register immediately. **Skip to step 4 to help them register to vote.**

B. If the person's conviction was between January 15, 1973 and May 17, 1981:

The person never lost the right to vote. However, the State Election Commission may need to verify the person was convicted during this time period.⁴ **Skip to step 4 to help them register to vote.**

C. If the person's conviction was after May 17, 1981

The person lost the right to vote upon conviction but they may be eligible to restore their voting rights. **Go to Step 2 to determine whether they can restore their rights by applying for a certificate of restoration.**

Step 2: Determine whether the person is eligible to apply to have their right to vote restored through the Certificate of Restoration (COR) process.

People who have lost their right to vote may apply to have their right to vote restored without a court petition if they meet each of the following conditions:

1. **Their sentence is complete.** Applicants must have been finally discharged from incarceration, parole, and/or probation. They must have a final discharge from custody or from the board of probation and parole.
2. **They have paid all restitution and court costs.** Applicants must have fully paid all court-ordered restitution and court costs issued at the time of sentencing for their felony conviction. If they have not, they may be able to apply for a cost waiver.

What does NOT have to be paid?

- Financial obligations from misdemeanors and traffic tickets.

⁴ TENN. SEC'Y OF STATE, ELIGIBILITY TO VOTE AFTER A FELONY CONVICTION, https://sos-tn-gov-files.tnsosfiles.com/forms/Eligibility%20to%20Vote%20after%20Felony%20Conviction.pdf?VqqFjxmz7DwdD7_jLHbDHXYtLmn2SiPZ ("Conviction between January 15, 1973, and May 17, 1981 . . . All persons who were convicted during this time period are eligible to vote. You do not need to have your rights restored, but the Division of Elections will need to verify you were convicted during this time period.")

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- Statutory fines (rather than costs or restitution).
- Other fees that are not court costs assessed after trial (e.g., probation costs).

If applicants are unsure whether they owe fines, fees, or restitution, we may be able to assist in looking up their records.

If they have not yet paid off their court costs, they may be able to have them remitted by a judge or they may be able to petition a court for voting rights restoration regardless. (See Step 6 for more information.)⁵

- 3. Current on child support.** They must be up to date on payment of any child support obligations. If they do not know or need to start a new payment plan, they can call the Department of Human Services at 1-800-838-6911.
- 4. No permanently disqualifying convictions.** They cannot have any permanently disqualifying convictions as defined by the effective list at the date of their conviction.⁶ See the following chart:

⁵ TENN. CODE ANN. § 40-29-202(b)(2) (“Beginning September 1, 2010 . . . a person shall not be eligible to apply for a voter registration card and have the right of suffrage restored, unless the person has paid all court costs assessed against the person at the conclusion of the person’s trial, except where the court has made a finding at an evidentiary hearing that the applicant is indigent at the time of application.”).

Additionally, Tennessee law indicates that a general sessions or criminal court judge may can suspend the court costs and litigation taxes required under Tennessee Code Annotated § 67-4-602 and 67-4-606 for any “indigent criminal defendant, as in the judge’s opinion the equities of the case require.” TENN. CODE ANN. § 40-25-123(c)(1)(A). Contact the Campaign Legal Center if you are considering this approach in assisting someone with a past felony conviction who has outstanding legal financial obligations.

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May 17, 1981 – June 30, 1986	July, 1986-June 30, 1996	July 1, 1996 – June 30, 2006	July 1, 2006 – Present
None (All convictions are eligible for COR)	First-degree murder	Any degree of murder	Any degree of murder
	Aggravated rape	Any degree of rape, including aggravated rape	Any degree of rape, including aggravated rape
	Treason	Treason	Treason
	Voter fraud	Voter fraud	Voter fraud
			Bribery (Tenn. Code Ann. § 39-16-1), Misconduct involving a public official or employee (Tenn. Code Ann. § 39-16-4) Interference with government operations (Tenn. Code Ann. § 39-16-5) Any sexual offense or violate sexual offense designated as a felony (Tenn. Code Ann. § 40-39-202) where the victim was a minor

If a person has any of the above convictions from a time period when it was considered

⁶ TENN. CODE ANN. § 40-29-204.

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permanently disqualifying, they will not be able to have their voting rights restored without a pardon. **See step 7 for information on pardons.**

Step 3: Apply for rights restoration.

- (1) **Get the application.** Obtain a “Certificate of Restoration Form” from the State Election Commission website (<https://sos-tn-gov-files.tnsosfiles.com/forms/ss-3041.pdf>), a county Election Commission website, probation or parole office, or court clerk. Complete the part of the form requiring the applicant’s personal information. For each felony conviction imposed on or after May 18, 1981, with a different docket/case number, whether it is a federal conviction or Tennessee conviction, a separate Certificate of Restoration form must be completed.
- (2) **Get sign off from probation or parole officer.** Ask the applicant’s probation or parole officer (or county probation or parole office) to complete the part of the Certificate of Restoration application form certifying that all of the applicant’s probation and parole requirements have been completed.
- (2.5) **If needed, get sign off from the court clerk.** Ask the applicant’s county’s circuit or criminal court clerk’s office to complete the part of the Certificate of Restoration application form certifying that all of the applicant’s court-ordered restitution and child support obligations have been paid in full. Typically, the probation or parole officer can do the certifying of all elements, so no additional sign off from the clerk would be needed.
- (3) **Submit the form to the County Election Commission.** Submit the completed Certificate of Restoration application form to the Election Commission office in the applicant’s county of residence. The county Election Commission will send the form to the State Election Commission. The State Election Commission will approve or deny the application and notify the county Election Commission accordingly. The county Election Commission will send the applicant with the decision.
- (4) **Register to vote and vote! (See Step 4).**

Step 4: Register to vote.

At this point in the process, all that is left to do is register and vote!

Register by mail or online: A person can register to vote by: (i) completing the voter registration form online (<https://ovr.govote.tn.gov>) or (ii) completing the state voter registration form, or national mail-in registration form, in print (available at <https://sos-tn-gov-files.s3.amazonaws.com/forms/ss-3010.pdf>) and hand deliver or mail it to the

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county Election Commission office.

Where to find registration forms? Voter registration forms are available in person at county Election Commission offices, County Clerk's offices, public libraries, and register of deeds offices. A list of county Election Commissions, their addresses, hours, websites, and contact information is available at https://tnsos.org/elections/election_commissions.php.

Or register with a state agency: A person can also register to vote during a transaction with one of the following agencies: Department of Health (WIC program), Department of Human Services, Department of Intellectual and Developmental Disabilities, Department of Mental Health, Department of Safety (motor vehicles division), or Department of Veteran's Affairs.

Don't miss the deadline: A voter registration form must be postmarked by or delivered to the Election Commission office at least **30 days before the election**.

Confirm voter registration! Certain county Election Commissions issue voter registration cards to voters informing them that their registrations have been processed. It is good practice to call the county Election Commission two weeks from the date the voter registration application has been submitted to ensure that the voter registration was successfully processed.

Step 5: Vote!

Tennessee requires voters to provide photo identification and proof of current residence to the polls. A Tennessee driver's license, U.S. passport, photo ID issued by the federal or any state government, U.S. military ID, or state-issued handgun carry permit with a photo are acceptable forms of identification.⁷

Find polling locations: Tennessee has rolled out the free **"GoVoteTN" app** for smartphones (also available on any mobile browser at <https://www.govotetn.com/app.html>). It allows voters to locate their Election Day polling locations, view and mark sample ballots, see their elected officials, districts, and county election information, and access online election results. You might consider flagging this app for anyone registering to vote for the first time in a long time who might find such a tool useful.

⁷ For assistance with getting your voter ID, you can contact Spread the Vote: (901) 248-3047, brenda@spreadthevote.org, <https://www.spreadthevote.org/tennessee>

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Step 6: Petition a circuit court for restoration of the full rights of citizenship.

If a person has lost their voting rights and is not eligible for a certificate of restoration, she can petition a circuit court for restoration of the full rights of citizenship⁸—which includes one’s voting rights. If you need to seek a petition, please contact us – we may be able to connect you with pro bono legal assistance.

When to apply? People seeking to restore their voting rights can only do so after the **maximum sentence** imposed for the disqualifying crime has expired.

Where to apply? File the petition in the circuit county where the conviction occurred or where the petitioner currently lives.⁹ You can find information on your county’s circuit court here: <http://www.tsc.state.tn.us/administration/judicial-resources/judicial-district-map>.

How much does it cost? The person has to pay the costs of the petition.¹⁰ The court may wave some costs if a person can show indigence.

How to apply?

A petition should include:¹¹

- The basis for the petitioner’s eligibility for rights restoration. For example: “Petitioner is eligible to restore her right to vote pursuant to Tenn. Code 40-29-105 [or 40-29-101 if conviction was prior to July 1, 1996] because she lost her right to vote due to a felony conviction for XX in XX county on XX date. The maximum sentence for her conviction has expired and she wishes to restore her civil rights.”
- A petition should include certified documents showing eligibility for rights restoration, namely documents showing all felony convictions, the date of convictions, and demonstrating that the maximum sentence for all felony convictions have expired.

⁸ A person who has a permanently disenfranchising conviction—see list in table above—cannot petition the court for rights restoration and must instead apply for a pardon, see Step 7.

⁹ *Id.*

¹⁰ TENN. CODE ANN. § 40-29-104.

¹¹ The documentation requirements discussed here are not statutorily required for convictions prior to July 1, 1996. Nonetheless, where available, we recommend including them. If a person has a pre-1996 conviction and does not have the relevant paperwork, she may nonetheless file without it.

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- The reasons the petitioner believes civil rights should be restored. Under Tenn. Code 40-29-101, the standard is “the petitioner has sustained the character of a person of honesty, respectability and veracity, and is generally esteemed as such by the petitioner’s neighbors.”¹²
- It should also include supporting documents showing why civil rights should be restored.
 - **What does this mean?** Consider including the following types of documents:
 - A declaration outlining the petitioner’s compliance with the law since the prior conviction, any regular work or volunteer commitments, and other information about the petitioner’s contributions to her community
 - Character references or letters of recommendation from employers, friends, family, church members, or other members of the community.
 - Documents showing regular employment, volunteer activities, payment of taxes, continued education, and other documents showing community contributions.
- The court may ask you for additional documents as needed.

Timing: The court may take at least 20-30 days to rule on the petition.

Step 7: Pardons

Pardons are notoriously rare but may be the only pathway for some Tennesseans to regain their right to vote, barring a legislative change.

Typically, a person will make application to the Board of Paroles Executive Clemency Unit, which will then make recommendations to the Government, which he or she may or may not grant. Under previous governors, there has been information and an application to begin the process on this website: <https://www.tn.gov/bop/agency-services/executive-clemency-unit.html>. As of writing, Governor Lee has not posted an application or guidance.

¹² TENN. CODE ANN. § 40-29-102.

More information on the pardons law and process can be found in this very helpful guide from the Restoration of Rights Project: <https://ccresourcecenter.org/state-restoration-profiles/tennessee-restoration-of-rights-pardon-expungement-sealing/>.

How to look up records in Tennessee

If a person does not know what their criminal record consists of, you will have to obtain copies of their criminal record to figure out whether they are eligible to apply for a Certificate of Restoration and who needs to sign off on their rights restoration application before it is granted. A person can have different criminal records in different jurisdictions within the state, or even outside the state.

Begin by calling the court clerk's office in every county in which charges against a person have ever been filed. The offices of the general sessions, circuit, and criminal court should have a record of a person's criminal history in that county. A person may need to provide his or her name, birthdate, and/or Social Security number to access the information. The clerk's website may also offer access to records and may provide additional procedural details and pricing for obtaining a copy of the criminal record. For example, the Davidson County Criminal Court Clerk's website details options for requesting a record via mail, in person, and provides access to free online record summaries (<http://ccc.nashville.gov/about-our-services/criminal-background-checks>).

Alternatively, if someone has a history of having had charges filed across them in different counties, you can seek their comprehensive criminal record from the Tennessee Bureau of Investigation (TBI), the central repository for all criminal charges and dispositions in Tennessee. The record may be requested online (<https://tbibackgrounds.tbi.tn.gov/Toris>) or by mailing a completed Tennessee Criminal History Information Request Form and a \$29 check or money order to the TBI (<https://tn.gov/tbi/article/background-checks>).

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Out of State Convictions

If an individual has a conviction from a state other than Tennessee they may have already had their rights restored or they may need to follow Tennessee's rights restoration process.

Under Tennessee law, if a person has an out of state conviction but has had their civil rights restored under the law of that state, they can vote in Tennessee.¹³ It is important to note that they will need to have had **all civil rights restored** in the state of conviction, not just the right to vote, in order to apply. All civil rights can include the right to run for office and right to serve on a jury, but does not necessarily include the right to bear arms. For example, in Texas, the right to vote is restored after completed of probation and parole, however, the right to run for public office is only restored through a pardon. Therefore, if a Tennessee resident has a felony conviction from Texas, it will not be enough for her to have had her voting rights restored in Texas to be able to vote in Tennessee.

Restore Your Vote can help determine whether a person's civil rights have been restored in the state of conviction. You can also contact Jessica Lim in the Tennessee Elections Division for assistance: (615) 253-4581.

If a person's civil rights have been restored in the state of conviction, they may register to vote, but will likely be asked to fill out additional documentation stating that their rights have been restored.

If the person's civil rights have not been restored in the state of conviction, they can still use Tennessee's rights restoration process. Follow the steps above as if it were an in-state conviction to see if they are eligible for a Certificate of Restoration (COR). They will need to have the COR filled out by a relevant state official in the state of conviction, typically a probation or parole officer or county clerk.

If a person has both Tennessee and out of state convictions, they will need to follow the relevant rights restoration process for each conviction.

¹³ Tenn. Code Ann. § 2-19-143(3). ("No person who has been convicted in another state of a crime or offense which would constitute an infamous crime under the laws of this state, regardless of the sentence imposed, shall be allowed to register to vote or vote at any election in this state unless such person has been pardoned or restored to the rights of citizenship by the governor or other appropriate authority of other such state, or the person's full rights of citizenship have otherwise been restored in accordance with the laws of such other state, or the law of this state.")

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Rights Restoration Worksheet

Name of Helper: _____ Date: _____
Name of Organization: _____
Name of Citizen: _____
Address: _____

Phone: _____ Email: _____
Date of Birth: _____

A. Write conviction history (fill in as much as possible):

Conviction:	Date:	County:
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

B: Check to see if right to vote has been lost – see table 1 on back.

If right to vote has not been lost – register to vote.

C. If right to vote has been lost, determine if COR eligible:

- 1. Any ineligible convictions? See table 2 on back
Yes _____ No _____ Not Sure _____
- 2. Sentence complete, including probation and parole (or maximum statutory sentence on conviction has expired)?
Yes _____ No _____
- 3. Have court costs and restitution been paid?
Yes _____ No _____ Not Sure _____
- 4. Up to date on child support?
Yes _____ No _____ N/A _____

D. If ineligible for COR due to financial obligations, ask if interested in petitioning the court:

Yes _____ No _____ Maybe _____

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Table 1 – voting rights status by date of conviction

Date of felony conviction	Voting Rights Status
Before January 15, 1973	Has right to vote unless convicted of one of the following crimes: Abusing a female child; arson and felonious burning; bigamy; bribery; burglary; felonious breaking and entering a dwelling house ; felonious breaking in a business house, outhouse other than a dwelling house; larceny; horse stealing; robbery; receiving stolen property; stealing bills of exchange or other valuable papers; counterfeiting; forgery Even if convicted of one of these, may retain right to vote. Refer to Restore Your Vote for more assistance.
January 15, 1973-May 17, 1981	Has right to vote.
After May 17, 1981	Has lost the right to vote, check COR eligibility

Table 2 - COR Ineligible Convictions

May 17, 1981 - June 30, 1986	July, 1986-June 30, 2006	July 1, 1996 - June 30, 2006	July 1, 2006 - Present
None	First-degree murder	Any degree of murder	Any degree of murder
	Aggravated rape	Any degree of rape	Any degree of rape
	Treason	Treason	Treason
	Voter fraud	Voter fraud	Voter fraud
			Bribery
			Misconduct involving a public official or employee
			Interference with government operations
		Any felony sexual offense with a minor	

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KNOW YOUR RIGHTS! VOTING AFTER A CONVICTION

If you are a Tennessee resident with a past conviction, this guide can help you learn about your voting rights. **Even if you lost your right to vote, most people in Tennessee have a path to restore their voting rights after a felony conviction. Restore Your Vote can help.**

1. Have I lost my right to vote?

Maybe not. Whether you have lost the right to vote because of a felony conviction depends on the date of your conviction(s):

For convictions before January 15, 1973:

You have not lost the right to vote unless you convicted one of the following crimes listed under Table 1 on the back of this sheet.

For convictions between January 15, 1973 and May 17, 1981:

You never lost the right to vote. You can register and vote right away!

For convictions after May 17, 1981:

You have temporarily lost the right to vote, but most people can restore their right to vote after a conviction by seeking a COR (see below).

Remember, misdemeanors and traffic violations never take away your right to vote.

2. If I lost my voting rights, how do I get them back?

If you have completed your sentence, you likely can apply to restore your right to vote in one of two ways: (1) Apply for a Certificate of Restoration (COR) or (2) Petition a circuit court to restore your right to vote. Either way, Restore Your Vote is here to help.

3. Can I apply for a Certificate of Restoration (COR)?

You are eligible for a COR if you meet the following conditions:

1. You do not have any ineligible convictions listed in Table 2 on the back of this sheet.
2. You have completed your sentence, including probation and parole.
3. You have paid off your restitution and court costs.
4. You are up to date on any child support.

If you meet each of these conditions, you can apply for a COR.

4. How do I apply for a COR?

The Certificate of Restoration form is available on the Secretary of State's website here: <https://sos-tn-gov-files.s3.amazonaws.com/forms/ss-3041.pdf>. Your probation or parole officer (or releasing official at the prison) will need to assist you in completing this form and certify that you are eligible. After completion, submit the COR to your local county election commission office. Contact Restore Your Vote if you need assistance.

This document does not constitute legal advice. For more questions or assistance, contact Blair Bowie, 202-736-2201.

5. What if I am not eligible for COR?

If you are not eligible for a COR, you can petition a court to restore your right to vote unless you have a conviction listed in Table 2. For Table 2, convictions you may seek a pardon. The right to vote should belong to all of us. It is worth the effort.

6. Who can I contact for more information or assistance?

Contact Restore Your Vote at 202-736-2201 or restoreyourvote@campaignlegalcenter.org or visit RestoreYourVote.org.

Table 1: Voting Rights Status

Date of felony conviction	Voting Rights Status
Before January 15, 1973	<p>You have the right to vote <u>unless</u> convicted of one of the following crimes:</p> <p>Abusing a female child; arson and felonious burning; bigamy; bribery; burglary; felonious breaking and entering a dwelling house ; felonious breaking in a business house, outhouse other than a dwelling house; larceny; horse stealing; robbery; receiving stolen property; stealing bills of exchange or other valuable papers; counterfeiting; forgery</p> <p>Even if convicted of one of these, you may retain right to vote. Contact Restore Your Vote for more assistance.</p>
January 15, 1973-May 17, 1981	You have the right to vote.
After May 17, 1981	You have temporarily lost the right to vote, check your eligibility to apply for a COR or petition the court to restore your voting rights.

Table 2: COR Ineligible Convictions

May 17, 1981 - June 30, 1986	July, 1986-June 30, 2006	July 1, 1996 - June 30, 2006	July 1, 2006 - Present
None	First-degree murder	Any degree of murder	Any degree of murder
	Aggravated rape	Any degree of rape	Any degree of rape
	Treason	Treason	Treason
	Voter fraud	Voter fraud	Voter fraud
			Bribery
			Misconduct involving a public official or employee
			Interference with government operations
		Any felony sexual offense with a minor	



State of Tennessee
312 Rosa L. Parks Avenue, 7th Floor
Nashville, Tennessee 37243
615-741-7956

CERTIFICATE OF RESTORATION OF VOTING RIGHTS for Persons Convicted of a Felony on or after May 18, 1981

This includes any federal or state felony conviction both
within Tennessee or from another state.

TO BE COMPLETED BY AN AGENT OF THE PARDONING AUTHORITY, AN AGENT OR OFFICER OF THE INCARCERATING AUTHORITY, OR A PROBATION/PAROLE OFFICER OR AGENT OF THE SUPERVISING AUTHORITY. A SEPARATE FORM MUST BE COMPLETED FOR EACH FELONY CONVICTION WITH A DIFFERENT DOCKET/CASE NUMBER. THE PERSON CONVICTED OF THE FELONY OFFENSE MAY NOT COMPLETE THIS FORM.

1. I hereby certify that the following information is true and correct:

- a. Applicant's Name: _____
(First) (Middle) (Last)
- b. Applicant's County of Residence: _____ c. Applicant's Phone Number: _____
- d. Felony Conviction: _____
- e. Month/Day/Year of Conviction: _____ f. TOMIS ID: (if applicable) _____
- g. Date of Birth: _____ h. Soc. Sec. No.: _____

2. On the _____ day of _____, _____ **(check one)**

- The above individual received a pardon which contained no special conditions pertaining to the right of suffrage. A copy of said pardon is attached hereto; *or*
- The maximum sentence imposed for such infamous crime has been served by the above individual; *or*
- The maximum sentence imposed for such infamous crime has expired; *or*
- The above individual has been granted final release from incarceration or supervision from either the United States Probation/Parole, a state Board of Probation/Parole, the Department of Correction, or county correction authorities.

Signature: _____ Date: _____
Printed Name: _____ Title: _____
Address: _____ Phone Number: _____

3. I hereby certify that the following is true and correct: **(check one)**

- The court did not order the above individual to pay any restitution as part of his or her sentence; *or*
- All of the restitution ordered by the court as a part of the sentence for the above individual has been paid; *or*
- Restitution ordered by the court is owed.

Signature: _____ Date: _____
Printed Name: _____ Title: _____
Address: _____ Phone Number: _____

4. I hereby certify that the following is true and correct: **(check one)**

- The court did not order the above individual to pay any court cost as part of his or her sentence; *or*
- All court cost assessed against the above individual has been paid; *or*
- For Federal Convictions Only, 18 U.S.C. § 3613(b) applies in this case and therefore the liability to pay has expired; *or*
- The court has made a finding at an evidentiary hearing that the above individual is indigent at the time of application; *or*
- Court costs ordered by the court are owed.

Signature: _____ Date: _____
Printed Name: _____ Title: _____
Address: _____ Phone Number: _____

INSTRUCTIONS

Instructions to the Agent Completing the Certificate of Restoration:

In order to complete any section of this form, the agent must have access to the information being attested to on this form.

1. In **BOX #1**, the proper authority/agent must provide the requested applicant information.

NOTE: For 1d, list the crime(s) for which the person was convicted.

For 1e, list the date the person was convicted for the crime listed in 1d.

2. In **BOX #2**, the proper authority/agent must provide the following information:

- a) Provide the date that corresponds to the box that is checked
- b) Check the appropriate box indicating how the applicant completed their sentence
- c) Provide your signature (print name below signature) and contact information

3. In **BOX #3**, the proper authority/agent must provide the following information:

- a) Check the appropriate box as it relates to any restitution that was or was not assessed to the applicant.
- b) Provide your signature (print name below signature) and contact information.

4. In **BOX #4**, the proper authority/agent must provide the following information:

- a) Check the appropriate box as it relates to any court fines that were assessed to the applicant.
- b) Provide your signature (print name below signature) and contact information.

Persons convicted of any of the following, cannot have his or her voting rights restored:

- Between July 1, 1986, and June 30, 1996 - first degree murder, aggravated rape, treason, or voter fraud
- Between July 1, 1996, and June 30, 2006 - murder, rape, treason, or voter fraud
- On or after July 1, 2006 – Any of the above, or any degree of murder or rape or any felony offense under TCA Title 39, Chapter 16, parts 1, 4, or 5; or any sexual offense under TCA § 40-39-202(20) or any violent sexual offense under TCA § 40-39-202(30) designated as a felony and where the victim of such offense was a minor

Instructions to the Applicant Seeking to have His or Her Voting Rights Restored:

- After completion, the original form must be filed with the local county election commission office in the county the applicant desires to register to vote.

NOTICE

A person is not eligible to apply for a voter registration card and have their voting rights restored unless the person is current in all child support obligations. Before restoring the voting rights of an applicant, the Coordinator of Elections will verify with the Department of Human Services that the applicant does not have any outstanding child support payments or arrearages.

Tennessee Mail-In Application For Voter Registration

You can use this form to:

- register to vote in Tennessee or change your name and/or address.

To register to vote:

- you must be a U.S. citizen, AND
- you must be a resident of Tennessee, AND
- you must be at least 18 years old on or before the next election, AND
- If you have had a felony conviction, your eligibility to register and vote depends upon the crime you were convicted of and the date of your conviction. To assist in processing your application, provide the required information in box 4 and any responsive documents you have. For more information about this process, call **1-877-850-4959** or visit **sos.tn.gov/restoration**.

Are you interested in working on Election Day? YES NO

Instructions/Checklist:

- Please PRINT with a blue or black **INK** pen (not felt tip).
- Provide the information in boxes 1–4 below, read the VOTER DECLARATION in box 5, and sign by the “X” in box 5.
- You must mail or hand deliver this form to your county election commission at least 30 days before an election. Go to **sos.tn.gov/election-commission** to find your county election commission address.
- To ensure a more confidential mailing process for this form, you can place this application in an envelope addressed to the county election commission.

If you are qualified and the information on your form is complete, we will add your name to the county's voter rolls. We will then mail you a voter registration card. This card will tell you where to vote.

Names of persons selected for jury service in state court are not chosen from permanent voter registration records.

Voter registration records are public records, open to inspection by any citizen of Tennessee, excluding social security numbers.

Federal or Tennessee state government-issued photo ID is required to vote unless exception applies.

Warning: Knowingly giving false information to register to vote or attempting to register when not qualified is a felony punishable by not less than two (2) years nor more than twelve (12) years imprisonment or a fine of \$5,000 or both.

FOR COUNTY ELECTION COMMISSION USE ONLY

Mail _____ Reg # _____ Approved _____
Effective Date _____ P/A _____
District _____ Precinct _____ Ward _____

1 VOTER ELIGIBILITY

Are you a citizen of the United States?

YES NO

Are you a resident of the State of Tennessee?

YES NO

Will you be 18 or older on or before Election Day?

YES NO

If you answered “No” in response to any of the above, do not complete this form.

2 PERSONAL DETAILS

Last Name: _____ First Name: _____ Middle Name: _____ Suffix: _____

SSN: _____ / _____ / _____ Date of Birth: _____ / _____ / _____ Sex: M F Race (optional): _____

Place of Birth (city/state): _____ Phone: (_____) _____ - _____

Residential Address: _____ (no PO box) Apt #: _____ City: _____

State: _____ Zip Code: _____ County: _____ Email (optional): _____

Mailing Address (if different): _____

3 LAST ADDRESS OF VOTER REGISTRATION (if any)

Name: _____ Address: _____ Apt #: _____

City: _____ State: _____ Zip Code: _____ County: _____

4 FELONY CONVICTION Have you ever been convicted of a felony? (If expunged, answer “no”) YES NO If yes, provide the following information (if known).

Crime(s): _____ Date (mo./yr.): _____

Place (city/state): _____ Have you received a pardon or had your voting rights restored? YES NO If yes, provide copy of document.

5 VOTER DECLARATION: I, being duly sworn on oath (or affirmation), declare that the above address is my legal residence and that I plan to remain at such residence for an undetermined period of time and say that to the best of my knowledge and belief all of the statements made by me are true.

X _____ / /
Signature of Applicant Date

Signature of Person Assisting Applicant Address of Person Assisting Applicant



ss-3010 (Rev. 09/20)

Index of Resources

Primary Resources

Tennessee Secretary of State – Elections Division

(615) 741-7956

(877) 850-4959

www.state.tn.us/sos/election

312 Rosa L. Parks Avenue
7th Floor, Snodgrass Tower
Nashville, TN 37243-1102

Registering to vote: <https://sos.tn.gov/products/elections/register-vote>

Eligibility to vote for people with felony convictions:

<https://sos.tn.gov/products/elections/if-i-have-felony-conviction-can-i-vote>

Restoration of voting rights for people with felony convictions:

<https://sos.tn.gov/products/elections/restoration-voting-rights>

County Election Commissions

A full list of county Election Commissions' administrators, addresses, phone numbers, email addresses, websites, and hours is available at https://tnsos.org/elections/election_commissions.php.

Clerks of Court

A full list of circuit court clerks is available at <http://www.tsc.state.tn.us/courts/court-clerks/clerks-list>.

For more information or assistance, contact 202-736-2200 or RestoreYourVote@CampaignLegalCenter.org or visit www.Restoreyourvote.org.