



NORTH CAROLINA STATE BOARD OF ELECTIONS

Mailing Address:
P.O. Box 27255
Raleigh, NC 27611

(919) 814-0700 or
(866) 522-4723

Fax: (919) 715-0135

Numbered Memo 2021-06

TO: County Boards of Elections
FROM: Karen Brinson Bell, Executive Director
RE: Restoration of Voting Rights of Felons on Community Supervision
DATE: August 23, 2021

On August 23, 2021, a three-judge panel of North Carolina Superior Court entered a preliminary injunction requiring that any person on community supervision (including parole, probation, or post-release supervision) for a felony conviction be permitted to register and vote. A written order has not yet been issued by the court. The court indicated that the order was to take effect as of today, August 23, 2021.

This order means that any person who is serving a felony sentence outside the custody of a jail or prison for a state or federal felony conviction is eligible to register and vote as of today. Individuals who are in prison or jail for a felony conviction are not eligible to register and vote. Voters who were previously removed due to a felony conviction and are now eligible to register under the court order must still re-register to vote.

As background, on September 4, 2020, a North Carolina Superior Court entered an injunction requiring that individuals serving an extended term of probation, parole, or post-release supervision solely because of outstanding monetary obligations (fines, fees, or restitution) be permitted to register and vote.¹ Today's order expands that injunction to people who were convicted in North Carolina state or federal court and are serving their sentence on community supervision, such as probation, post-release supervision, or parole.

An updated voter registration form is available on the State Board's website. You may direct voters with questions about the order to the [Notice of Restoration of Voting Rights to Individuals on Probation, Parole, or Post-Release Supervision for a Felony Conviction](#) on the State Board's website and attached to this memo.

¹ *Community Success Initiative v. Moore*, No. 19 CVS 15941, Order on Inj. Relief at 10 (Wake Cty. Sup. Ct.).

We are working with the North Carolina Department of Public Safety to process the data we receive from that agency so that the felon data provided to the county boards of elections will no longer include persons who are now eligible to register and vote. This data is used for automated list maintenance processes for denials and removals due to felony conviction flagged by SEIMS and for the Felony Conviction Reports found on the intranet.

Staff are working to update forms in SEIMS used for voter registration and in-person voting. If you have forms that you use outside of SEIMS or if your county does not use the standard forms provided by the State Board (e.g., ATV, One-Stop Application, etc.), you will need to update the language to reflect the new attestation on the voter registration form. A sample of the updated attestation is included here for reference.

10 Sign below to attest to your qualifications to vote. FRAUDULENTLY OR FALSELY COMPLETING THIS FORM IS A CLASS I FELONY UNDER CHAPTER 163 OF THE NC GENERAL STATUTES.
<small>I attest, under penalty of perjury, that in addition to having read and understood the contents of this form, that: (1) I am a United States citizen, as indicated above; (2) I am at least 18 years of age, or will be by the date of the general election; or I am at least 16 years old and understand that I must be at least 18 years old on the day of the general election to vote; I shall have been a resident of North Carolina, this county, and precinct for 30 days <u>before the date of the election</u> in which I intend to vote; (3) I will not vote in any other county or state after submission of this form and if I am registered elsewhere, I am canceling that registration at this time; and (4) I am not in jail or prison for a felony conviction.</small>
X _____
Signature Required

Date

The following forms are being updated in STEPPS: the ATV, One-Stop Application, Notice to Same-Day Registrants, and Provisional Application. Letters and notices, including the denial and removal letters, will also be updated in SEIMS.



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NOTICE ON THE RESTORATION OF VOTING RIGHTS TO INDIVIDUALS ON PROBATION, PAROLE, OR POST-RELEASE SUPERVISION FOR A FELONY CONVICTION

Due to a court order, anyone who is not in jail or prison for a felony conviction is now eligible to register and vote. This includes people on probation, parole, or post-release supervision. If you are in prison or jail for a felony conviction, you are not eligible to register and vote.

If you were registered to vote before your felony conviction, your registration was cancelled by your county board of elections. You must submit a new voter registration form to re-register. To register to vote you must also be a U.S. citizen, at least 18 years old by the date of the general election, and a resident of North Carolina and your county for 30 days before the election.

To register to vote, complete the voter registration form at https://s3.amazonaws.com/dl.ncsbe.gov/Voter_Registration/NCVoterRegForm_06W.pdf and mail or hand-deliver it to your county board of elections office by **25 days prior to the election**. If you are a DMV customer, you may register to vote online at <https://www.ncdot.gov/dmv/offices-services/online/Pages/voter-registration-application.aspx>.

County boards of elections office addresses and locations are available at <https://vt.ncsbe.gov/BOEInfo/>.

For more information, contact the State Board of Elections at www.ncsbe.gov or 1-866-522-4723 (toll-free).

If you have questions about the particular circumstances of your community supervision, please contact your probation officer. If you have further questions about your restoration of rights, the following organizations can assist you:

Forward Justice
<http://www.ForwardJustice.org>
Email: vote@forwardjustice.org
Toll-Free Phone: 877-880-8683 | 877-880-VOTE

North Carolina Second Chance Alliance
<http://www.ncsecondchance.org>