

In Arizona, the government takes away your right to vote in state or federal elections if you have been convicted of more than one felony, but you can apply for restoration of your right to vote. The following information explains how to regain your civil rights, including your right to vote.

### **AUTOMATIC RESTORATION (ONE FELONY)**

For your *first and only one-count felony conviction*, you **AUTOMATICALLY** regain your civil rights upon absolute discharge from the Arizona Department of Corrections and/or completion of all aspects of your probation. In addition, you must pay all court-ordered fines before registering to vote, even if you were convicted of only one felony.

Restoration of your civil rights includes your right to vote, to serve on a jury and to run for public office. The government does not automatically restore your right to possess firearms.

### **JUDICIAL RESTORATION (TWO OR MORE FELONIES)**

If you have multiple felony convictions and served time in a state correctional institute, you must wait **TWO YEARS** from the date you obtain an absolute discharge to apply for your rights to be restored. You must have your "Certificate of Absolute Discharge" to submit to the court where you were sentenced for restoration of rights. If you have multiple court cases, you must file separately for each one.

If you have multiple felonies and served probation, you **DO NOT** have to wait two years to apply. Your right to vote may be restored by the court that discharged you from probation.

Arizona law requires probation officers or courts handling your probation to notify you, in writing, of the process for restoring your right to vote.

You should work with your probation officer upon the termination of your probation to restore your civil rights so long as you have completed any restitution and paid all court-ordered fines.

### **What if I was convicted of a federal crime?**

In Arizona, the same rules apply for first time offenders whether you were convicted of a federal or state crime. That means, if you were convicted of two or more federal crimes, you're eligible to apply for restoration after waiting two years from the date of your absolute discharge.

Instead of applying to the sentencing court, however, you must apply for restoration of your voting rights with the presiding judge of the Superior Court where you reside.

### **What if I was convicted in another state?**

There are no provisions in Arizona law for restoration of any rights that may have been lost as a result of a felony conviction in another state. Since each state has its own rules for voting, you'll have to contact the state elections office where you were convicted. For voting rights information in different states, visit: <http://www.democracysghosts.com/states/states.html>

### **STEP ONE: ABSOLUTE DISCHARGE**

If you have been incarcerated in state prison, the first step toward restoring your rights is to get a "Certificate of Absolute Discharge" from the Arizona Department of Corrections (ADC). You can do this as soon as you have completed all of the terms of your sentence, including paying all court fines and restitution.

You can call ADC records to see if you owe any restitution (**602-542-5536**). To request your "Certificate of Absolute Discharge," write to: **(ATTN: Arizona Department of Corrections, 1601 W. Jefferson, M/C 112, Phoenix, AZ**

**85007**). You should receive a response in the mail within 3-6 weeks.

### **YOU MUST ATTACH A COPY OF YOUR ABSOLUTE DISCHARGE CERTIFICATE TO YOUR APPLICATION FOR RESTORATION OF CIVIL RIGHTS.**

### **STEP TWO: FILE PAPERWORK**

Once you have received your Certificate of Absolute Discharge from the ADC, and two years have passed from the date of your absolute discharge, you can file your civil rights restoration application with the Clerk of the Superior Court office in the county where you were originally sentenced.

**You can obtain a civil rights restoration application by visiting your local county clerk's office.**

**PLEASE NOTE:** You will need to list all case numbers, and attach a copy of the absolute discharge paperwork for **each** sentence listed.

There is no fee for filing an application for restoration of civil rights in Arizona and you do not need a lawyer.

### **County Clerk's Offices:**

Clerk of Superior Court  
201 W. Jefferson St.  
Phoenix, AZ 85003  
(602) 506-0547 (for instructions only)  
In Maricopa, applications can only be obtained in person at the clerk's office or on-line at: <http://www.clerkofcourt.maricopa.gov/faxondemand/300.pdf>

Clerk of Superior Court  
110 West Congress St.  
Criminal Department, Room 152  
Tucson, Arizona 85701-1317  
520-740-3228

## WHY VOTING IS IMPORTANT

Your vote is your voice. It is a fundamental right and the cornerstone of our democracy. It gives us power and lets us play a part in American political life. The United States is the only democracy that denies voting rights to as many citizens as we do, for as long as we do. When you take away the voting rights of people who have felony convictions, it reduces the prospects for successful rehabilitation and reintegration into the community. To deny the right to vote to ex-felons is tantamount to taxation without representation.

## CONSIDER THESE FACTS

- Puerto Rico, Maine and Vermont guarantee the right to vote to all citizens, incarcerated or not.
- 13 states, along with the District of Columbia, allow parolees and probationers to vote.
- Nearly 5.3 million Americans cannot vote because of felony convictions.
- Nationally, 585,000 veterans, who have risked their lives for this country, and more than 676,000 women have lost their voting rights because of felony convictions.
- Arizona's felon voting ban has stripped more than 176,103 people of their right to vote.

The ACLU of Arizona would like to talk to you if ...

- you were convicted of any federal or state crime involving a drug or tax offense, criminal trespass, eavesdropping, misconduct involving weapons or explosives, kidnapping or gambling, or
- you want to vote but cannot afford to pay the fines, fees and/or restitution that are part of your sentence.

If you have any additional questions or need assistance with your application for voting rights restoration, you should contact the ACLU of Arizona (602-650-1854), American Friends Service Committee (520-623-9141) or Primavera Foundation (520-623-9141).

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# GET YOUR RIGHT TO VOTE BACK

## A Guide to Help Former Felons in Arizona

Prepared By:



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