Guide to State Voting Rules That Apply After a Criminal Conviction



Overview

The right to vote is the foundation of American democracy. But a citizen who is convicted of a crime can lose that right. This document is designed to help citizens who meet the age and residency requirements to understand how the state-by-state rules about voting after a criminal conviction could apply to them.

Who keeps the right to vote and who can regain that right — and how — differs from state to state, and it depends on state law. In some states, voters keep their right to vote after a felony conviction. In most states, though, people who are convicted of a felony cannot vote for some time afterward — maybe just during an incarceration, possibly while they are on probation or parole, or sometimes forever. A few states strip the right to vote from people convicted of some misdemeanors — especially ones connected with elections. But conviction for a misdemeanor usually does not affect voting rights — regardless of whether someone is incarcerated.

Citizens who lose their right to vote because of a criminal conviction can often regain that right once they are released from prison or complete their sentence. Sometimes, this restoration is automatic. All they need to do is register to vote again where they now live. Sometimes, they must first take additional steps before they can register.

This guide walks readers through a series of questions to help them understand how each state's laws work. And it gives information about how to reach officials in a particular state if someone wants to register to vote or if they have additional questions.

The Civil Rights Division of the Department of Justice originally gathered the information here in response to Section 9 of Executive Order 14019. Among other things, that Order directed the Attorney General, as part of the reentry process for citizens in federal custody, to "provide educational materials related to voter registration." With this document, the Department makes the information available to a wider audience that includes people convicted in state court, organizations that work with those individuals or the communities where they live, and interested citizens.

This information is up to date through September 2024.

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In Maine, Puerto Rico, Vermont, and Washington D.C., a criminal conviction never restricts your voting rights. You can vote even if you are incarcerated.

Am I eligible to vote in Maine, Puerto Rico, Vermont, or Washington D.C.?

If you want to register to vote, or if you have more questions about your eligibility, you can reach officials in your state at:

Maine Secretary of State

148 State House Station Augusta, Maine 04333-0148 Tel: 207-626-8400 Fax: 207-287-8598 cec.elections@maine.gov maine.gov/sos/cec/

Puerto Rico Election Commission PO Box 195552 San Juan, PR 00919-5552 Tel: 787-777-8682 ww2.ceepur.org/Home

Vermont Elections Division 128 State Street Montpelier, VT 05633-1101 Tel: 802-828-2363 sos.vermont.gov/elections/about

DC Board of Elections

1015 Half Street, SE, Suite 750 Washington, DC 20003 Tel: (202) 727-2525 Toll Free: 1-866-DC-VOTES TTY: 711 (in DC) TTY (Text Telephone): 800-643-3768 Spanish TTY: 800-546-7111 **dcboe.org**

Mississippi

In Mississippi, you do not lose your voting rights if you were convicted of a crime in federal court (or in another state). Most people who are in federal custody or who are leaving federal custody are eligible to vote in Mississippi. You only lose your voting rights if you are convicted of certain state law felonies.

Pretrial detention, misdemeanors, federal convictions, and out-of-state convictions do not restrict your voting rights.



Colorado, Hawaii, Minnesota, Montana, Nevada, New Jersey, New Mexico, New York, North Dakota, Oregon, Rhode Island, or Washington State

In these states, you only lose your right to vote if you are currently incarcerated for a felony conviction. If you lost your voting rights because of a conviction, you can register to vote immediately after your release.



¹ In North Dakota, voters do not need to register to vote. If you live in North Dakota, you can vote after you are released.

Colorado Secretary of State

1700 Broadway, Suite 550 Denver, CO 80290 Tel: 303-894-2200 sos.state.co.us/pubs/elections/vote/ VoterHome.html

Hawaii Office of Elections

802 Lehua Avenue Pearl City, Hawaii 96782 Tel: 808-453-8683 Neighbor Island Toll Free: 1-800-442-8683 TTY: 808-453-6150 TTY Toll Free: 1-800-345-5915 Fax: 808-453-6006 elections@hawaii.gov elections.hawaii.gov/about-us

Minnesota Secretary of State,

Elections & Administration Veterans Service Building, Suite 210 20 W 12th Street Saint Paul, MN 55155 Elections Tel: 1-877-600-VOTE (8683) secretary.state@state.mn.us sos.state.mn.us/elections-voting/

Montana Secretary of State

Montana Capitol Building, Rm 260 P.O. Box 202801 Helena, MT 59620-2901 Tel: 406-444-9608 soselections@mt.gov sosmt.gov/elections

Nevada Secretary of State

101 N Carson Street, Suite 3 Carson City, NV 89701 Tel: (775) 684-5705 nvelect@sos.nv.gov **registertovote.nv.gov**

New Jersey

Mailing Address: NJ Division of Elections, P.O. Box 304 Trenton, NJ 08625-0304 Office Address: 20 West State Street, 5th Floor Trenton, NJ 08608 Tel: 609-292-3760 1-877-NJ-VOTER (1-877-658-6837) TTY/TDD: 609-292-0034 nj.elections@sos.nj.gov state.nj.us/state/elections/voter-registration. shtml

North Dakota Secretary of State

600 E Boulevard Avenue, Dept 108 Bismarck ND 58505-0500 Tel: 701-328-2900 Toll Free: 800-352-0867 TTY: 800-366-6888 Fax: 701-328-2992 soselect@nd.gov **vip.sos.nd.gov**

New Mexico Secretary of State, Bureau of Elections

New Mexico Capitol Annex North 325 Don Gaspar, Suite 300 Santa Fe, NM 87501 Toll Free: 1-800-477-3632 Tel: 505-827-3600 (Option 2) Elections@state.nm.gov sos.state.nm.us/voting-and-elections

New York State Board of Elections

40 North Pearl Street, Suite 5 Albany, NY 12207-2729 Tel: 518-474-6220 TDD/TTY: Call the New York State Relay 711 INFO@elections.ny.gov elections.ny.gov

Oregon Elections Division

Public Service Building Suite 501 255 Capitol St. NE Salem OR 97310 Tel: 503-986-1518 Toll free: 1-866-673-VOTE (1-866-673-8683) Fax: 503-373-7414 TTY 800-735-2900 elections.sos@sos.oregon.gov sos.oregon.gov/voting

Rhode Island Elections Division

148 West River Street Providence, RI 02904-2615 Tel: (401) 222-2340 Fax: (401) 222-1444 TTY: 711 elections@sos.ri.gov vote.sos.ri.gov/Voter/RegisterToVote

Washington Secretary of State, Elections Division

P.O. Box 40229 Olympia, WA 98504-0229 Tel: 1-800-448-4881 elections@sos.wa.gov sos.wa.gov/elections/register.aspx

Indiana, Illinois, or Michigan

In Indiana, Illinois, and Michigan, you only lose your right to vote if you are currently incarcerated for a criminal conviction (misdemeanor or felony).¹ If you lost your voting rights because of a conviction, you can register to vote immediately after your release.

Pretrial detention, probation, and parole do not restrict your voting rights.



¹ In Illinois you are considered incarcerated if you are on a prison furlough or in a work release program.

Indiana

302 W Washington St, Room E204 Indianapolis, IN 46204 Tel: 317-232-3939 Fax: 317-233-6793 elections@iec.in.gov **in.gov/sos/elections/voter-information/ register-to-vote/**

Michigan

Department of State, Bureau of Elections 430 W. Allegan St. Richard H. Austin Building - 1st Floor Lansing, MI 48918 Tel: 800-292-5973 elections@michigan.gov **mvic.sos.state.mi.us/RegisterVoter**

Illinois

Springfield Office: S. MacArthur Blvd. Springfield, IL 62704 Tel: 217-782-4141 Fax: 217-782-5959 *Chicago Office:* 69 W. Washington Suite LL08 Chicago, IL 60602 Tel: 312-814-6440 Fax: 312-814-6445 webmaster@elections.il.gov ova.elections.il.gov

California

In California, you only lose your right to vote if you are currently incarcerated in a prison for a felony conviction. Your rights are restored and you can register to vote immediately after your release.

Pretrial detention, misdemeanors, federal convictions, and out-of-state convictions do not restrict your voting rights.



Utah

In Utah, you only lose your right to vote if you are currently incarcerated for a felony conviction, a crime related to the elective franchise, or treason. If you are incarcerated for one of these convictions, you can register to vote immediately after your release.



Massachusetts

In Massachusetts, you only lose your right to vote if you are currently incarcerated for a felony conviction or if a court revokes your rights for conviction of corrupt practices in respect to elections. If you lost your voting rights because of a felony conviction other than corrupt practices in respect to elections, you can register to vote immediately after your release.



Connecticut

In Connecticut, you lose your right to vote if you are convicted of a felony. People who were incarcerated for felony convictions regain their voting rights immediately after their release, while people who have been convicted of election offenses must complete any terms of probation and parole.



In Maryland, you only lose your right to vote if you are currently incarcerated for a felony conviction. If you lost your voting rights because of a felony conviction, you can register to vote immediately after your release. This does not apply to convictions for buying and selling votes.



In Ohio, you only lose your right to vote if you are currently incarcerated for a felony conviction. If you lost your voting rights because of a conviction, you can register to vote immediately after your release. *Note: This does not apply if you have been convicted two or more times of an election related crime.*

Pretrial detention, misdemeanors that didn't involve an election or voting, probation, and parole do not restrict your voting rights.



Pennsylvania

In Pennsylvania, you only lose your right to vote if you are currently incarcerated for a felony conviction. If you lost your voting rights because of a conviction, you can register to vote immediately after your release. *Note: This does not apply if you have been convicted of a violation of the Pennsylvania Election Code.*

Pretrial detention and misdemeanors that didn't involve an election or voting do not restrict your voting rights.



Idaho, Kansas, North Carolina, and Texas

In these states, you lose your voting rights if you are convicted of a felony. Your right to vote is restored immediately after you are released from prison and have completed any court-ordered supervision, probation, or parole.

Pretrial detention and misdemeanor convictions do not restrict your voting rights.



Note: In some cases, a person cannot complete probation or parole until they pay certain fines, fees, and restitution.

If you have outstanding debt from your conviction and are unsure if it impacts your supervision status, contact your probation officer, parole officer, county clerk (Texas), or an election official to ensure you are eligible to vote.

Idaho Secretary of State,

Elections & Administration 700 W. Jefferson St., Room E205 Boise, ID 83702 Mailing Address: P.O. Box 83720 Boise, ID 83720-0080 Tel: (208) 334-2852 sos.idaho.gov/elections-division

Kansas Secretary of State, Elections Division Memorial Hall, 1st Floor 120 SW 10th Avenue Topeka, KS 66612-1594 Phone: 785-296-4561 election@ks.gov kssos.org/elections/elections.html

North Carolina State Board of Elections

PO Box 27255 Raleigh NC 27611-7255 Email: elections.sboe@ncsbe.gov Tel: (919) 814-0700 Fax: (919) 715-0135 **ncsbe.gov**

Texas Secretary of State Elections Division James E. Rudder Bldg. 1019 Brazos St. Austin, Texas 78701 Mailing Address: P.O. Box 12060 Austin, Texas 78711-2060 Tel: 1-800-252-VOTE (8683) Tel: 512-463-5650 elections@sos.texas.gov sos.state.tx.us/elections/index.shtml

South Carolina

In South Carolina, you lose your right to vote if you are incarcerated after a criminal conviction (felony or misdemeanor) or while you are serving probation or parole if you have been convicted of violating South Carolina's election laws. People who were convicted of felony offenses or election offenses must complete their sentence — including incarceration, parole, and probation — before registering to vote, while people who were incarcerated for misdemeanors can register to vote immediately after their release.

Pretrial detention does not restrict your voting rights.



Oklahoma

In Oklahoma, you lose the right to vote when you are convicted of a felony. Restoration of your rights is automatic when the time period of your original sentencing has ended and when you have completed the terms of your sentence, including incarceration, parole, and probation.¹

Pretrial detention and misdemeanors do not restrict your voting rights.



¹ Beginning January 1, 2025, you will be eligible to register to vote if: your sentence has been discharged, including any term of incarceration, supervision, parole, or probation; you have received a commutation to time served; or you have received a commutation for a crime that has been reclassified from a felony to a misdemeanor and has no remaining time to serve.

West Virginia

In West Virginia, you lose your voting rights if you are convicted of a felony, bribery in an election, or treason. You can register to vote once you have completed your sentence, including any prison term, probation, or parole.

Pretrial detention and misdemeanor convictions that didn't involve an election or voting do not restrict your voting rights.



In Arkansas, you lose your voting rights if you are convicted of a felony. Your voting rights cannot be restored until you have completed your sentence, including any prison term, probation, and parole and payment of any related fines, fees, and restitution. Before you can register to vote, you must submit paperwork showing you have completed your sentence.



In Delaware, you lose your voting rights if you are convicted of a felony. Your voting rights are restored immediately after you complete your term of incarceration, probation, and/or parole, regardless of whether you owe fines, fees, costs, or restitution. *Note: If you have been convicted of certain disqualifying felonies, you may only vote after being granted a pardon.*



Wisconsin

In Wisconsin, you lose your voting rights if you are convicted of a felony, treason, or bribery. You can register to vote after you have completed your sentence, including any prison, probation, parole, or extended supervision.



Missouri

In Missouri, you lose your voting rights while you are incarcerated for a misdemeanor conviction or until you complete your felony sentence (including incarceration, probation, and parole). Note: These rules do not apply if you were convicted of a crime related to voting.

Pretrial detention and misdemeanors that didn't involve voting do not restrict your voting rights.



Once you are eligible, all you need to do is register to vote. If you want to register to vote, or if you have more questions about your eligibility, you can reach officials in your state at:

Missouri Secretary of State

600 West Main Street Jefferson City, MO 65101 Tel: (573) 751-2301 Toll Free: (800) 669-8683 elections@sos.mo.gov sos.mo.gov/elections

Alaska

In Alaska, you lose your voting rights if you are convicted of a felony. Your voting rights cannot be restored until you have completed your sentence, including any prison term, probation, and parole. Before you can register to vote, you must submit paperwork showing you have completed your sentence.



Georgia

In Georgia, you generally lose your voting rights if you are convicted of a felony. You can register to vote again once you complete your sentence, including probation, parole, and paying all outstanding fines. *Note: Some felony sentences do not restrict your voting rights.*

Pretrial detention and misdemeanors do not restrict your voting rights. Restitution, court costs, and probation fees do not impact the right to vote.



¹ Fines that are imposed as a condition of probation are canceled upon completion of probation. If you are not sure if you owe fines, you can request a Certificate of Sentence Completion from the Department of Community Supervision. https://dcs.georgia.gov/locations/field-office

In Arizona, you lose your voting rights if you are convicted of a felony. If you were convicted of more than one felony, you must apply to get your voting rights back.





Nebraska

In Nebraska, you lose the right to vote if you are convicted of a felony. Your right to vote is automatically restored two years after you complete your sentence, including any term of incarceration, parole, or probation.



In Louisiana, you lose your right to vote if you are convicted of a felony or an election offense. If you were convicted of a felony, your rights will be restored <u>either</u> when you complete your sentence (incarceration, parole, and probation) <u>or</u> 5 years after your release from prison, whichever is sooner. If you were convicted of an election offense, your rights will be restored when you complete your sentence, including incarceration, parole, and probation.

Pretrial detention and misdemeanors that didn't involve an election or voting do not restrict your voting rights.



South Dakota

In South Dakota, you lose your right to vote if you were convicted of a felony after July 1, 2012 or if you were incarcerated for a felony conviction before July 1, 2012. When you get your voting rights back depends on the date of your felony conviction.

Pretrial detention and misdemeanors do not restrict your voting rights.

Am I eligible to vote in South Dakota?

In South Dakota, the rules differ for people who were convicted of a felony before or after July 1, 2012. Follow the questions that apply to your conviction.

If you were convicted of a felony <u>after</u> July 1, 2012:



default.aspx/



Alabama

In Alabama, you lose your voting rights if you are convicted of certain felonies under state law. If you are convicted in federal court or out-of-state, you only lose your right to vote if your conviction would constitute a disqualifying offense if brought under Alabama law. <u>Many federal felony convictions do not restrict your voting rights in Alabama.</u> If you have lost your voting rights because of a conviction, you may be able to get them restored.



Am I eligible to vote in Alabama? (continued)

Once you are eligible, all you need to do is register to vote. If you want to register to vote, or if you have more questions about your eligibility, you can reach officials in your state at:

Alabama Secretary of State

P.O. Box 5616 Montgomery, AL 36103-5616 Tel: 334-242-7200 1-800-274-8683 (toll free) Fax: 334-242-4993 sos.alabama.gov/alabama-votes Have you been convicted of one of the following felonies in Alabama state court OR have you determined your federal or out-of-state conviction would constitute one of these offenses under state law?

- Manslaughter;
- Assault;
- Kidnapping in the 1st or 2nd degree;
- Endangering the water supply;
- Possession, manufacture, transport or distribution of a destructive device or biological weapon;
- Selling, furnishing or giving away a destructive device 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;
- Attempt to commit an explosive or destructive device or biological weapon crime;
- Conspiracy to attempt an explosive or destructive device or biological weapon crime;

- Hindrance or obstruction during detection, disarming or destruction of a destructive device;
- Possession or distribution of a destructive device or weapon intended to cause injury or destruction;
- Trafficking in cannabis, cocaine, amphetamines, methamphetamine, or other illegal drugs;
- Bigamy;
- Torture or willful maltreatment of a child under the age of 18;
- · Aggravated child abuse;
- Prohibited acts in the offer, sale, or purchase of securities;
- Burglary;
- Theft of property;
- Theft of lost property;
- Theft of trademarks or trade secrets, robbery, forgery.

Have you completed your sentence, including incarceration, probation, parole, fines, fees, and restitution and do you have no pending felony charges?

YES



You are eligible to vote. If you were not convicted of one of the above listed offenses (or a comparable federal or out-of-state crime), you have not lost your voting rights.

NO
Wyoming

In Wyoming, your right to vote is taken away if you are convicted of a felony. The rules for getting your voting rights back change depending on different factors including how many felonies you have been convicted of, whether they are considered non-violent, and the date and place of your conviction.



Am I eligible to vote in Wyoming? (continued)



Have you completed all the terms of

New Hampshire

In New Hampshire, your right to vote is taken away if you are convicted of a felony, but it is automatically restored as soon as you are released from imprisonment. However, if you have been convicted of treason, bribery, or willful violation of the election laws of New Hampshire or the United States, your right to vote is taken away and may only be restored by the Supreme Court of New Hampshire.

Pretrial detention and non-election, non-bribery misdemeanors do not restrict your voting rights.



Florida

In Florida, your right to vote is taken away if you are convicted of a felony. Your rights will be restored automatically after you complete your entire sentence, including incarceration, parole and/or probation, and payment of all fines, fees, costs, and restitution. *Note: This is not true if you were convicted of murder or a sexual offense.*



Am I eligible to vote in Florida? (continued)



DivElections@dos.myflorida.com

Tennessee

In Tennessee, you lose your right to vote if you were convicted of certain felonies on or before certain dates. Your ability to restore your rights also depends on the crime you were convicted of and the date of your conviction.



Am I eligible to vote in Tennessee? (continued)

If you were convicted of a felony between January 15, 1973 and May 17, 1981:



You are eligible to vote. Your conviction did not restrict your voting rights. But the Division of Elections may need to verify the dates of your conviction before accepting your registration form.

If you were convicted of a felony after May 18, 1981:

If you are eligible, all you need to do is register to vote. If you want to register to vote, or if you have more questions about your eligibility, you can reach officials in your state at:

Tennessee Secretary of State, Elections 312 Rosa L. Parks Avenue 7th Floor, Snodgrass Tower Nashville, TN 37243-1102 Tel: 1-877-850-4959 Tel: (615) 741-7956 sos.tn.gov/elections



Am I eligible to vote in Tennessee? (continued)



Kentucky

In Kentucky, you lose your right to vote when you are convicted of a crime (felony or misdemeanor). For a misdemeanor conviction, you only lose your rights while you are incarcerated. If you are convicted of a felony, you lose your right to vote indefinitely, unless you petition the Governor to have your rights restored.

Note: As of 2019, an Executive Order restores the right to vote automatically for people who have been convicted of felonies in Kentucky state courts and who meet certain criteria. This policy may be subject to change. Check with your state's election officials for the most updated information.



Am I eligible to vote in Kentucky? (continued)



Am I eligible to vote in Kentucky? (continued)



Am I eligible to vote in Kentucky? (continued)



In lowa, you lose your voting rights if you are convicted of a felony. But, as of 2020, an Executive Order has provided people with convictions a way to restore their voting rights. This policy may be subject to change. Check with your state's election officials for the most updated information.



Am I eligible to vote in Iowa? (continued)



Virginia

In Virginia, you lose your voting rights if you are convicted of a felony. As of 2020, an Executive Order has automatically restored the right to vote for many people upon their release from incarceration and provided a pathway for people to apply for restoration as long as they are not incarcerated for a felony conviction. This policy may be subject to change, though. Check with your state's election officials for the most updated information.

Pretrial detention and misdemeanor do not restrict your voting rights.



¹ solutions.virginia.gov/RestorationOfRights/search