

WHAT IF THE CLERK THINKS THE DOCUMENTS I AM PRESENTING ARE INVALID OR FORGED?

- **Presenting forged documents is a serious crime.** The county clerk should accept any document you submit to support the restoration of your right to vote as legitimate unless the clerk believes and verifies that the document is invalid or forged.

REGISTRATION INFORMATION

WHAT IF I'M A FIRST TIME VOTER?

- **You must prove both your identity and residence once: either when you register, vote, or submit your absentee ballot request.** Once you have proven your identity, you do not have to show a photo ID to vote.
- You can provide the last four digits of your Social Security number or your Nevada Drivers License number on your registration form to prove your identity. If you did not provide this information on your registration form, you will need to show a photo ID to prove your identity when you vote.
- Acceptable methods of proving your identity include:
 - o A current and valid Nevada drivers' license;
 - o A current and valid Nevada State Identification Card; OR
 - o Another current and valid photo identification card (which may include a student ID issued by a public or accredited private school, college, or university).
- Acceptable methods of proving your residence include:
 - o Any identity document listed above; or
 - o A rent receipt with pre-printed address, bank statement, credit card statement, government-issued tax bill, current utility bill, or vehicle registration or proof of insurance.

WHAT IF I RECENTLY CHANGED MY ADDRESS?

- **If you moved to a different county 30 days or more before the election,** you must reregister to vote with your new address before the registration deadline.
- **If you are already registered but moved within the same county and have not updated your registration since the last election,** you can vote in your old precinct and county. Before voting, you must give an oral or written affirmation before an election board officer attesting to your new address.
- **If you are already registered but moved to another precinct or county within Nevada on or after the voter registration deadline,** you can vote in your old precinct and county for this election.
- **If you are not registered to vote,** you must register before the voter registration deadline to vote in this election.

WHAT IF I'M HOMELESS OR LIVING IN A HOTEL, MOTEL OR OTHER TEMPORARY RESIDENCE?

- **If there is a street address associated with the place you are staying,** you can register with that address.
- **If the place you are staying does not have a street address** or you don't stay in only one place, you can still register. You must identify the place where you usually stay, which could be a street corner, park, or shelter. You should also provide an address, which may be of a local shelter, advocacy organization, outreach center, or anywhere else willing to accept mail on your behalf.
- If you are a first time voter, you will need to present proof of identity and residency at the time you register or vote. If you are homeless or do not have a traditional street address, you may sign a sworn affidavit under penalty of perjury to prove your identity and residence.

IMPORTANT DATES

2012 ELECTION
VOTER REGISTRATION DEADLINE
Mail - postmarked by Oct. 6, 2012
In-Person - submitted by Oct. 16, 2012
EARLY VOTING Oct. 20 - Nov. 2, 2012
ELECTION DAY Tuesday, Nov. 6, 2012

PROTECTING YOUR RIGHTS

If you feel your rights are violated, you can file a complaint with the ACLU of Nevada. The ACLU of Nevada **does not** have the resources to do any in-person or over-the-phone consultations whatsoever and cannot guarantee that we will be able to provide you with assistance. However, you can complete a complaint form online at www.aclunv.org. You may also obtain or drop off a complaint form at one of our offices for our consideration.

ADDITIONAL RESOURCES

Nevada Secretary of State

(775) 684-5705

www.nvsos.gov

ACLU Voting Rights Project

(877) 523-2792

www.votingrights.org

ACLU OF NEVADA

As an affiliate of the American Civil Liberties Union (ACLU), the ACLU of Nevada works to protect the rights and liberties of all Nevadans. The ACLU is a nationwide, nonprofit, nonpartisan organization with more than 500,000 members dedicated to defending the principles of liberty and equality embodied in the Constitution and our nation's civil rights laws.

601 S. Rancho Drive
Suite B11
Las Vegas, NV 89106
(702) 366-1226

1325 Airmotive Way
Suite 202
Reno, NV 89502
(775) 786-6757

www.aclunv.org



VOTING WITH A CRIMINAL CONVICTION IN NEVADA

Answers to basic questions about when and how individuals with felony convictions can vote in Nevada. This information is for educational purposes only and is not legal advice.



The ACLU of Nevada fights for fair, full, and equal access to the right to vote. We hope that no one is ever wrongfully denied the fundamental right to participate in our democracy.



VOTER ELIGIBILITY

I WAS CONVICTED OF A MISDEMEANOR. CAN I VOTE IN NEVADA?

- **Yes.** Misdemeanor convictions do not affect your right to vote in Nevada. If you are in jail or prison and are qualified to vote, you will have to request an absentee ballot.

I WAS CONVICTED OF A FELONY IN A NEVADA COURT. CAN I VOTE IN NEVADA?

- **You CAN vote if:**
 - You were convicted of one non-violent felony OR multiple non-violent felonies that arose out of the same act; **AND**
 - You were unconditionally released after serving your full sentence or were honorably discharged from felony parole or probation. *You must provide proof when registering to vote that your voting rights were restored.*
- **You CANNOT vote if:**
 - You are in prison, on parole, or on probation for a felony;
 - You were dishonorably discharged from parole;
 - You were convicted of a category A felony and have not had your voting rights restored by the court;
 - You were convicted of a category B felony that resulted in substantial bodily harm and have not had your voting rights restored by the court; **OR**
 - You were convicted of more than one

1. *Category A offenses include, but are not limited to: first or second degree murder, attempted murder, first degree kidnapping, sexual assault, sexual abuse of a child under 14, and a second offense for possession of child pornography (see NRS chapter 200 for full list).*

2. *Category B offenses include, but are not limited to: voluntary manslaughter, mayhem, second degree kidnapping, robbery, battery that results in substantial bodily harm, fighting with a deadly weapon, trafficking in persons, assault with a deadly weapon, false imprisonment, a second offense of elder abuse, and aggravated stalking (see NRS chapter 200 for full list).*

separate felony (violent or non-violent) and have not had your voting rights restored by the court.

- **IMPORTANT NOTE!** If you were convicted of *any* felony (violent or non-violent) in Nevada and you completed your sentence *before* July 1, 2003, your right to vote was automatically restored. If you wish to vote, you must include paperwork showing a discharge date prior to July 1, 2003 with your voter registration form.

I WAS CONVICTED OF A FELONY IN FEDERAL COURT. CAN I VOTE IN NEVADA?

- You can only vote in Nevada if you received a **presidential pardon** for your crime.

I WAS CONVICTED OF A FELONY IN ANOTHER STATE. CAN I VOTE IN NEVADA?

- **You can only vote if your right to vote was restored in the state where you were convicted of any felony.** Voting rights for people with felony convictions vary from state to state. If you are not sure whether your right to vote was restored, check with the voting officials or an attorney in the state where you were convicted.
- *You must show proof when you register to vote that your right to vote was restored in the state where you were convicted.*
- If you cannot get proof from your state of conviction that your right to vote was restored, you may wish to consult an attorney. Your county clerk may also accept a sworn affidavit signed by you stating that your right to vote has been restored. Please check with your county clerk to see if they will accept an affidavit. However, it is a felony to give fraudulent information when registering to vote, so ensure that your right to vote has been restored before signing and filing an affidavit with the clerk attesting to that.

RESTORATION OF RIGHTS

I WAS CONVICTED OF A VIOLENT FELONY OR MORE THAN ONE FELONY IN NEVADA. CAN I GET MY RIGHT TO VOTE RESTORED?

- Once you finish your sentence, **you can petition the court where you were convicted to grant an order restoring your right to vote**, along with any other rights you lost. If the judge grants an order restoring your right to vote, you can vote in Nevada. *You must provide proof when registering to vote that your voting rights were restored.*

I WAS DISHONORABLY DISCHARGED FROM PAROLE OR PROBATION. CAN I GET MY RIGHT TO VOTE RESTORED?

- **Only if your status is changed to honorable discharge.** You can file an application to change your status with the Division of Parole and Probation, and if the Division determines that you are eligible to change your status, a schedule of payments for any restitution or supervision fees you owe will be established. If you make a good faith effort to pay this amount, then the Division will likely change your status to honorable.
- Once your status is changed from dishonorable to honorable, your right to vote is restored (as long as you have not been convicted of any other felonies that would prevent you from voting).

PROOF OF ELIGIBILITY

I HAD MY RIGHT TO VOTE RESTORED. DO I NEED TO SHOW PROOF WHEN REGISTERING TO VOTE?

- **Yes.** The following documents are accepted by county clerks:
 - An order of any federal or state court restoring your right to vote;
 - A document from a penal agency verifying

that your right to vote has been restored;

- A document from a penal agency verifying that you received a pardon for your crime; OR
- A document from a Nevada penal agency verifying that you completed your sentence before July 1, 2003.

- Your county clerk may also accept a sworn affidavit signed by you stating that your right to vote has been restored. Contact your county clerk for more information.

HOW DO I GET AN OFFICIAL DOCUMENT THAT SHOWS MY VOTING RIGHTS HAVE BEEN RESTORED?

- If you were released from prison or honorably discharged from parole in Nevada, **the agency releasing you should have given you an official document stating that your right to vote has been restored.** If you were *not* given an official document of this nature, please contact a private attorney.
- If you lose or damage this official document, you can petition the Nevada court where you were convicted to grant an order restoring your civil rights. The court cannot charge you a fee for this request.
- If you were convicted out-of-state, contact the court you were convicted in to inquire about obtaining proof that your voting rights have been restored.

WHAT IF I TRY TO REGISTER WITHOUT PRESENTING PROOF THAT MY VOTING RIGHTS ARE RESTORED?

- **By law, the county clerk must reject your voter registration application** if either you do not present official documentation or the Secretary of State does not inform the clerk that your right to vote has been restored. However, once you have official documentation showing your rights are restored, you can submit a new voter registration application.