



Secretary of State

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Restoration of Felon Voting Rights

Clearinghouse Elections Notice

Issue #15-01

December 9, 2015

Requirements for restoring the right to vote following a felony conviction are found in RCW 29A.08.520. This updated Clearinghouse replaces Issue #09-03.

As soon as an individual is no longer under the authority of Washington State Department of Corrections (DOC), the right to vote is automatically provisionally restored and he or she may register.

The Office of the Secretary of State (OSOS) compares the official voter registration database (VRDB) to the records of the DOC and the court lists of those whose voting rights have been revoked.

County election departments do not cancel voter registration records based on felon information received from the courts, or any other sources. Potential felons are still registered voters until canceled by OSOS. They are coded as "PFel" in the VRDB.

When an individual is uncertain about voting eligibility, direct him or her to the **DOC Voting Hotline** at (800) 430-9674.

Restoring the Right to Vote

Following a felony conviction in a **Washington State** court, the right to vote is restored when the person is no longer under the authority of DOC (in prison or on community custody). Voting rights may be revoked later if the voter does not meet his or her financial obligations.

Following a felony conviction in a **federal** or **out-of-state** court, the right to vote is restored automatically when the person is no longer incarcerated (in prison). Financial obligation payments are not tracked for these voters.

Voter registration applications must be accepted from any person who is no longer under the authority of the DOC.

Assistance for Pended Voters

To contest a pending cancellation, a voter has 30 days from the postmark on the envelope to either:

- Explain the misidentification;
- Provide documentation that the letter is incorrect; or
- Request a hearing with the County Auditor.

When a voter is misidentified and *inadvertently* flagged as a felon, the voter should not be required to provide documentation. Either OSOS or the county elections department will use governmental resources such as Department of Licensing or LexisNexis to confirm the match is valid/invalid.

The right to vote can be permanently restored by a certificate of discharge, a court order permanently restoring the right to vote, a final order of discharge, or a certificate of restoration as provided by 29A.08.520 for each felony conviction.

The hearing process is explained further in WAC 434-324-106.

If the potential felon fails to contact OSOS or the County Auditor within 30 days, the felon's voter registration must be canceled. If an election in which the felon would otherwise be eligible to vote is scheduled to occur during the 30 days, the felon must be allowed to vote a provisional ballot.

Procedures for List Management

1. The county elections department does not cancel felons from the statewide VRDB.
2. The Department of Corrections and the Administrator of the Courts provide OSOS with lists of felons who are ineligible to vote.
3. OSOS conducts statewide VRDB felon checks at least three times per year, and provides a list of "potential felons" to county election departments.
4. OSOS sends a letter to each potential felon and cancels the voter after 30 days (when the voter does not respond).
5. The voter may contact the OSOS or the county elections department if a felon notification letter was mailed in error. Either office may resolve the error in VRDB Felon Management.
6. As soon as the person is no longer under the authority of DOC, he or she may re-register.

For questions regarding felon vote restoration, please contact the Certification and Training Program at (360) 902-4180 or ctsupport@sos.wa.gov.