

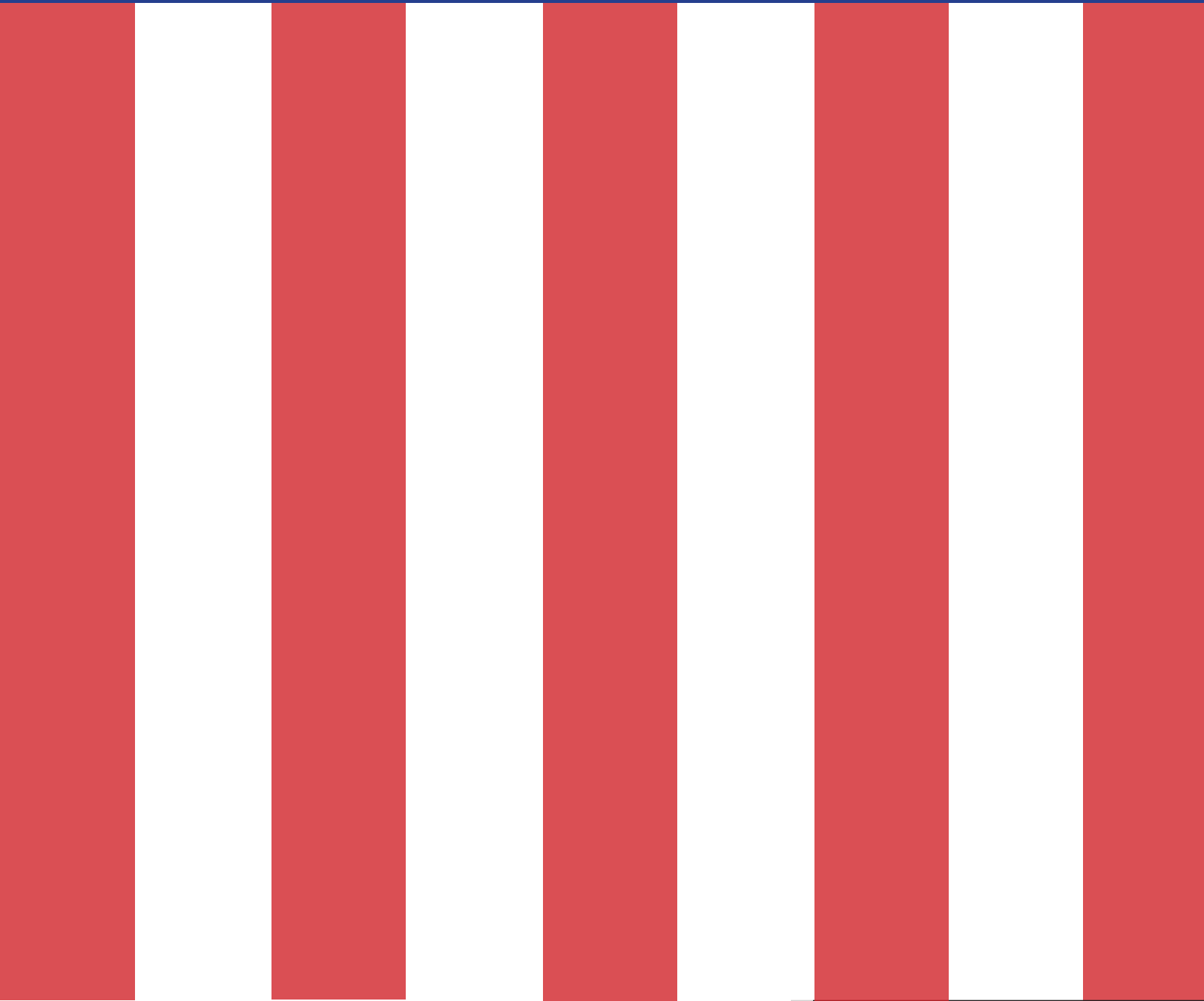
# The Freedom to Vote

Felony Disenfranchisement in  
North Carolina

August 2019



SOUTHERN  
COALITION  
for SOCIAL JUSTICE



# Executive Summary

North Carolina is one of eighteen states that disenfranchise persons who are on felony probation and post-release supervision. This policy, which dates back to the early 1900s, disenfranchised nearly 70,000 North Carolinians in 2017. This number does not include people who never re-registered to vote or did not realize their rights had been restored following their completion of probation or parole. Despite the fact that these tax-paying community members are a part of our neighborhoods, churches, and civic groups, these individuals are denied a basic feature of every citizen's ability to participate in a democratic system — the right to vote.

North Carolina's laws tend to discourage or even prohibit people from successfully rejoining our communities. A **returning citizen** (i.e. someone who has completed their time in prison) can trigger new charges and potential reincarceration if they violate voting laws, even unintentionally. Further exacerbating this issue is difficulty obtaining clear and consistent information regarding a person's eligibility status from Boards of Elections and Probation Offices.

Under the current system, the North Carolina General Assembly holds the power to restore the right to vote to tens of thousands of disenfranchised North Carolina citizens. By introducing legislation to amend N.C.G.S § 13-1 and associated statutes so that people on felony probation and post-release supervision regain the right to vote, the General Assembly can simplify the process of restoring voting rights to returning citizens. Legislators should follow the example of other states and bring North Carolina in line with those states that tie the restoration of the right to vote to a person's release from prison custody.

To respect our fellow citizens in their effort to become productive, contributing members of society, we should encourage their reasonable efforts to regain the right to vote. By reforming these statutes, North Carolina will join 17 other states that have set a bright line guaranteeing that citizens regain the right to vote immediately upon the end of any period of incarceration.

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## **The Freedom to Vote Felony Disenfranchisement in North Carolina**

August 2019

Special thanks to Democracy NC and Kaneesha Johnson for making this report possible.

# Introduction

Across the United States, an estimated 1 in every 40 adults (or approximately 6 million eligible voters)<sup>1</sup> is denied the right to vote due to a current or previous felony conviction. Of those persons who are disqualified around the country, more than three-quarters of them live outside of any correctional facility. These individuals are living and working in our communities and paying taxes, yet are denied the opportunity to participate in elections as every other eligible citizen can.

North Carolina added a felony disenfranchisement provision to its state constitution in 1875 as one of a series of discriminatory post-Reconstruction amendments that mandated school segregation, prohibition of interracial marriage, and the promotion of convict leasing. Today, the North Carolina Constitution requires that a person lose the right to vote after a felony conviction until that person's citizenship has been restored "in the manner provided by law."<sup>2</sup> For most of the state's history, restrictive laws did not allow for the automatic restoration of voting rights after a felony sentence was completed.<sup>3</sup> Before 1971, Chapter 13 of the North Carolina General Statutes required an individual to wait two years from the prison discharge date before applying for restoration of rights. One could only do so by filing a petition with three months' notice in order to have a hearing before a Superior Court judge. At this hearing, the individual would have to provide five witnesses who had known said individual for three years prior to the petition filing. Then, the court could decide if rights were restored. By 1973, Chapter 13 was amended so that voting rights were automatically restored after the felony sentence was complete, but the individual still had to re-register to vote.

In 2017, 69,386 North Carolinians were denied the right to vote, according to data obtained from the North Carolina Administrative Office of the Courts. The law disparately affected people of color and economically disadvantaged communities. Black citizens accounted for 21.5% of the state population in 2017, yet they represented 39.2% of the disenfranchised population. In comparison, white citizens, who made up 69% of the population, comprised only 56.3% of those disenfranchised.

Several factors are important in ensuring an individual completes their terms of probation or post-release supervision without falling back into the criminal legal system. Evidence suggests that civic engagement, which includes acts such as voting, is one factor that is linked to reduced recidivism, or the likelihood of returning to prison.<sup>4</sup> Despite the positive correlation between civic engagement and successful reintegration, many are unable to meaningfully engage within their communities due to their inability to vote while under felony community supervision.

Terms of post-release supervision and probation can be difficult to track and manage, even for the responsible county agencies. A county Board of Elections, responsible for voter registration and removal, has to rely on information from the court system and Department of Public Safety. When information is shared correctly, the board learns that a person has received a felony conviction, but not when probation ends or if it becomes extended. The courts that hand down felony convictions and impose (and modify) probation have no rule or practice of informing people convicted of felonies of their loss of voting rights. Practices by probation officers vary, and some officers only provide information on voting rights at the end of probation, when

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1 Christopher Uggen, Ryan Larson, and Sarah Shannon, "6 Million Lost Voters: State-Level Estimates of Felony Disenfranchisement, 2016," The Sentencing Project. October 6, 2016, <https://www.sentencingproject.org/publications/6-million-lost-voters-state-level-estimates-felony-disenfranchisement-2016/>. (accessed August 1, 2019)

2 N.C. Const. art. 6. sec. 2. cl. 3.

3 State v. Currie, 202 S.E.2d 153 (N.C.1974)

4 Christopher Uggen, Jeff Manza, and Melissa Thompson. "Citizenship, Democracy, and the Civic Reintegration of Criminal Offenders." The ANNALS of the American Academy of Political and Social Science 605, no. 1 (2006): 281. Doi: 10.1177/0002716206286898.

those rights have been restored. Even when rights are restored, an individual must still go back to the Board of Elections to re-register.

This inconsistent and confusing application of the law can lead to further convictions if people vote before their terms of probation or post-release are completed. Also, people may not realize they are eligible to vote because they are under the impression that they are forever stripped of their rights, or they may stay away from the voting booth for fear of another conviction.

Furthermore, certain terms of probation can be continued due to failure to pay a court fine or fee, sometimes resulting in the extended disenfranchisement of an individual who never makes enough money to pay the court debt.

North Carolina is one of eighteen states that deny people with a felony conviction the right to vote until terms of probation or post-release supervision are completed.<sup>5</sup> This practice creates major barriers for people who have interacted with the criminal justice system. Twenty-one states have adopted policies limiting disenfranchisement to either incarceration and post-release supervision or only incarceration. Two states do not disenfranchise at all. North Carolina has the opportunity to adopt important data-supported approaches to reduce recidivism, and lead the Southeast in restoring voting rights to people on felony probation and post-release supervision.<sup>6</sup>

To avoid confusion and ensure laws regarding our elections are clear, it is time North Carolina amend N.C.G.S § 13-1 and all associated statutes so that people on community supervision are eligible to vote.

**Felony Disenfranchisement** is the exclusion of a set of people from voting as a result of a felony conviction. Terms of disenfranchisement vary by state.

**Post-release Supervision** is the conditional release and transfer of an individual to supervision prior to the expiration of the prison sentence.

**Probation** is a set of conditions that allow an individual with a criminal conviction to remain in the community with restrictions on their freedom. Depending on the terms, violation of these conditions can result in imprisonment or further court punishment.

<sup>5</sup> Jean Chung, "Felony Disenfranchisement: A Primer," The Sentencing Project. July 17, 2018, [www.sentencingproject.org/publications/felony-disenfranchisement-a-primer/](http://www.sentencingproject.org/publications/felony-disenfranchisement-a-primer/). (accessed July 29, 2019).

<sup>6</sup> States that currently disenfranchise folks only during the period of incarceration include Colorado, Hawaii, Illinois, Indiana, Maryland, Massachusetts, Michigan, Montana, Nevada, New Hampshire, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, and Utah. See Figure 6 for map.

# The Origins of the NC Voter Laws

Soon after winning their freedom, formerly enslaved persons found themselves at the mercy of the laws created by post-Reconstruction governments well into the early 1900s and beyond. These governments created laws, which criminalized every-day activity of black people. The recently ratified Thirteenth Amendment banned slavery. However, people in power managed to obtain free labor by capitalizing on Section 1 of this Amendment, which allowed governments and businesses to take advantage of free labor by exploiting those who had been convicted of a crime.

## Thirteenth Amendment

**Section 1: Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.**

The Thirteenth Amendment was created to destroy the structures of slavery and involuntary labor. However, it left space for people to infringe on liberties in other manners. This Amendment was the expected end of slavery, but due to politics and the endurance of racism, its protections were limited.

Southern governments continued to find ways to manipulate black labor. Some government officials wanted to widen the net of crimes that could imprison newly freed African Americans. Vagrancy laws continued to criminalize black life, especially for people who were not employed by a white landowner. For example, it was a crime for a farmworker to walk beside a railroad, speak loudly in company of white women, or sell their crop after dark. None of these laws applied exclusively to African Americans, but the courts overwhelmingly enforced the rules against black citizens.

Immediately after the Civil War, the prison population grew dramatically. By the 1870s, barely a decade after the Thirteenth Amendment was ratified, 95% of prisoners in the Southern states were black.<sup>7</sup>

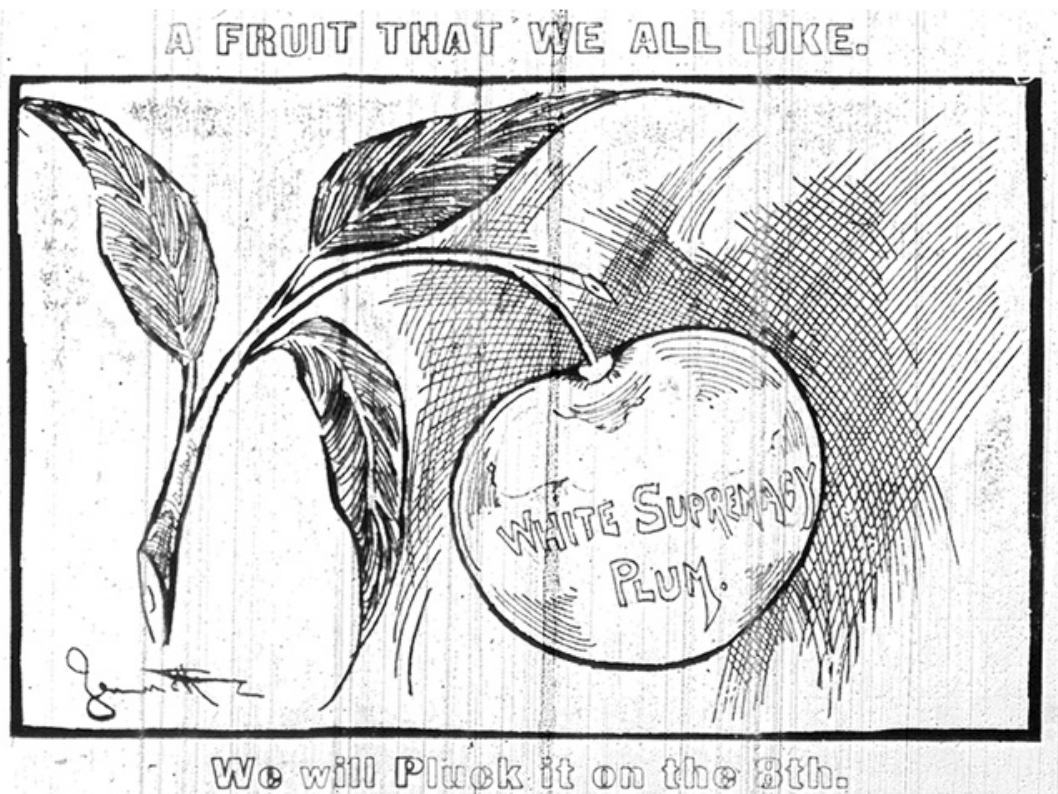
Soon, those in power realized they could use the criminal legal system to stem the rise of political participation by African Americans. As the number of African Americans in prison or labor camps increased, so did the number of laws that disenfranchised individuals with felony convictions. The use of “felony status” made it easier to manipulate ballot access. It was another way to circumvent the protections African Americans had under the Fourteenth and Fifteenth Amendments.

Although North Carolina began placing racist restrictions on the ballot in the 1870s, African Americans were able to retain enough voting strength to attain some political power as part of a Republican-Populist fusion party. In 1898, however, Democrats successfully defeated the fusion movement through an open campaign of white supremacy and regained the General Assembly. The victory was interpreted as “an ultimatum to curb the political power of the Negro.”<sup>8</sup> The new Assembly passed numerous laws from 1899 to 1901 that restricted access to the ballot box, including the disenfranchisement of people with felony convictions and the addition of harsh criminal penalties for voting while ineligible. As a result of these tactics, only 15% of all African Americans were registered to vote in 1948.<sup>9</sup>

7 Christopher Adamson, “Punishment After Slavery: Southern State Penal Systems, 1865-1890,” Oxford University Press. 30, no. 5 (1983): 555, <https://www.jstor.org/stable/800272> (accessed July 29, 2019)

8 William Mabry, “‘White Supremacy’ and The North Carolina Suffrage Amendment,” The North Carolina Historical Review, 13, no. 1 (1936): 1, <http://www.jstor.org/stable/23514770> (accessed July 29, 2019)

9 Joseph Morgan Kousser, Colorblind injustice: Minority voting rights and the undoing of the second reconstruction (Chapel Hill: The University of North Carolina Press, 2000).



**Figure 1:** This political cartoon was printed in the *Raleigh News & Observer* on November 5, 1898, a few days before the election. It features a plum with the words “White Supremacy Plum” and surrounding text stating “A fruit that we all like. We will pluck it on the 8th.”

## Legal Precedent

Felony disenfranchisement excludes people from voting as a result of a felony conviction, which can include both non-violent and violent crimes. As previously noted, the policy was added to the North Carolina Constitution post-Reconstruction as part of a strategy to install a white supremacist government in spite of federal prohibitions on racial discrimination in voting.

Prior to 1971, North Carolina was among those states where individuals with felony convictions did not have their rights automatically restored at any point post conviction. Instead, individuals had to affirmatively apply for the restoration of rights. With reforms enacted in 1971 and 1973, North Carolina finally allowed for automatic restoration of rights. However, that restoration of rights was not triggered by release from prison, but rather only after the final “unconditional discharge” from any form of supervision. For many, particularly those with limited financial means to pay fines, fees, or restitution, the date of unconditional discharge can be a moving target as probation is extended due to inability to pay. North Carolina has not revisited or reformed this system in over forty-five years.

While North Carolina law on the restoration of rights has been static since the 1970s, the state’s criminal laws regarding ineligible voters have languished far longer and reflect the punitive, discriminatory intent of the post-Reconstruction and Jim Crow eras. Under N.C.G.S. § 163A-1389(5), voting while on felony

probation or post-release counts as a distinct felony offense that may be punished with further probation or imprisonment. Registering to vote during this period of ineligibility also counts as a distinct felony. The State Board of Elections and some prosecutors have taken the position that voting while ineligible due to a prior felony conviction is a “strict liability” crime, meaning that a person may be subject to a felony conviction regardless of intent or knowledge.

Despite the racialized history behind the felony disenfranchisement mandate, attempts to strike down similar discriminatory laws in other states through litigation were met with mixed results. In the U.S. Supreme Court case *Richardson v. Ramirez*, the Court distinguished felony disenfranchisement from other forms of voting restrictions, finding an “affirmative sanction” of felony disenfranchisement in Section 2 of the Fourteenth Amendment.<sup>10</sup> That section reduces the congressional representation of any state in which the constitutional right to vote has been abridged “except for participation in rebellion, or other crime.”<sup>11</sup>

In *Hunter v. Underwood*, one of the few successful challenges, the Supreme Court held that plaintiffs could still prove that a crime-based restriction on the right to vote was unconstitutional by showing “purposeful racial discrimination.”<sup>12</sup> In *Underwood*, the Court struck down a provision of the Alabama Constitution that disenfranchised those convicted of crime of “moral turpitude,” including misdemeanors, where the historical record confirms that the provision was enacted with discriminatory intent.

The effect of *Ramirez* and *Underwood* was to create a presumption that felony disenfranchisement was constitutionally permissible and set a high bar of direct evidence of intentional discrimination to mount a constitutional challenge. These parameters set by the United States Supreme Court weakened the promise of litigation as a means to re-enfranchise those with felony convictions, and subsequent challenges have been largely unsuccessful.<sup>13 14 15</sup>

## Data

**69,386 NORTH CAROLINIANS  
COULD NOT VOTE IN 2017 DUE  
TO THEIR FELONY PROBATION OR  
POST RELEASE STATUS.**

It is estimated that 69,386 North Carolinians, or nearly 1% of the North Carolina voting population,<sup>16</sup> were unable to participate in the 2017 elections because they were on felony probation or post-release supervision.<sup>17</sup> However, these estimates do not capture those who remain off the voter rolls due to misinformation or fear.

The disenfranchisement of nearly 70,000 citizens has major implications on elections of all levels. To put this figure into perspective, the 2016 North Carolina gubernatorial race ended with a win for then-gubernatorial candidate Roy Cooper as he reached the 10,000 vote threshold required to avoid a recount.<sup>18</sup>

Furthermore, back in the 2008 presidential race, the Obama/Biden ticket won North Carolina by 14,177

<sup>10</sup> *Richardson v. Ramirez*, 418 U.S. 24 (1974).

<sup>11</sup> U.S. Const. amend. XIV. Sec. 2.

<sup>12</sup> *Hunter v. Underwood*, 471 U.S. 222 (1985).

<sup>13</sup> *Farrakhan v. Washington*, 338 F.3d 1009 (2003)

<sup>14</sup> *Johnson v. Bush*, 214 F.Supp.2d 1333 (2005)

<sup>15</sup> *NAACP v. Harvey*, 885 A.2d 445 (2005)

<sup>16</sup> U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimates, Citizen Voting Age Population (CVAP) Special Tabulation, 2018.

<sup>17</sup> This figure does not factor in the amount of people disenfranchised due to incarceration.

<sup>18</sup> Ordering Recounts, N.C.G.S. § 163A-1174. [https://www.ncleg.gov/EnactedLegislation/Statutes/PDF/BySection/Chapter\\_163A/GS\\_163A-1174.pdf](https://www.ncleg.gov/EnactedLegislation/Statutes/PDF/BySection/Chapter_163A/GS_163A-1174.pdf). (accessed July 31, 2019)

votes.<sup>19</sup> The amount of disenfranchised people in this state due to felony probation status is nearly five times that amount. As reporter Harry Enten argues, felony disenfranchisement laws have a major impact on close elections, particularly in communities of color in the South.<sup>20 21</sup>

## Who is Affected?

North Carolina's current felony voting restrictions disproportionately affect people of color. In 2017, black men were disproportionately represented in the community supervision population. While they make up 9.2% of the North Carolina voting age population, black men comprised 40% of the male probation population in the state when this data was last published. Black women are nearly 11% of the voting population, but comprised about 24% of the female probation population.<sup>22</sup>

Sex	Race						
	White	Black	Hispanic	Indian	Asian	Other	Unknown
Female	11,783	3,891	314	164	41	63	79
Male	27,309	21,378	2,769	532	242	466	344

**Figure 2:** Demographic Analysis of Individuals on Felony Probation (Data sourced from NC Administrative Office of the Courts, analyzed by Kaneesha Johnson)

## Geographic Impact

The map below displays the total number of North Carolinians on felony probation and post-release as a share of the total voting-age population of each county. The illustration captures the extent to which felony disenfranchisement affects local electorates in each county, with implications for county elections and offices at every other level of government. The most significant areas of impact include counties where nearly 2% of the total voting population is ineligible under existing law. In this era of recounts with slim margins of victory, two-percent of voters could sway an election.

Further, the racial imbalance among the disqualified population poses special concerns regarding the discriminatory impact on voters. For example, in North Carolina, juries are selected in part based on voter registration.<sup>23</sup> If people are barred from registering to vote because they are serving felony probation and this reality disproportionately impacts African Americans, it becomes challenging to have a “jury of your peers,” as African Americans would likely be less represented by people who look like them.

Large swaths of the eastern part of the state include counties with higher levels of voter disenfranchise-

<sup>19</sup> “North Carolina Results,” The New York Times. August 1, 2017, <https://www.nytimes.com/elections/2016/results/north-carolina>. (accessed July 31, 2019)

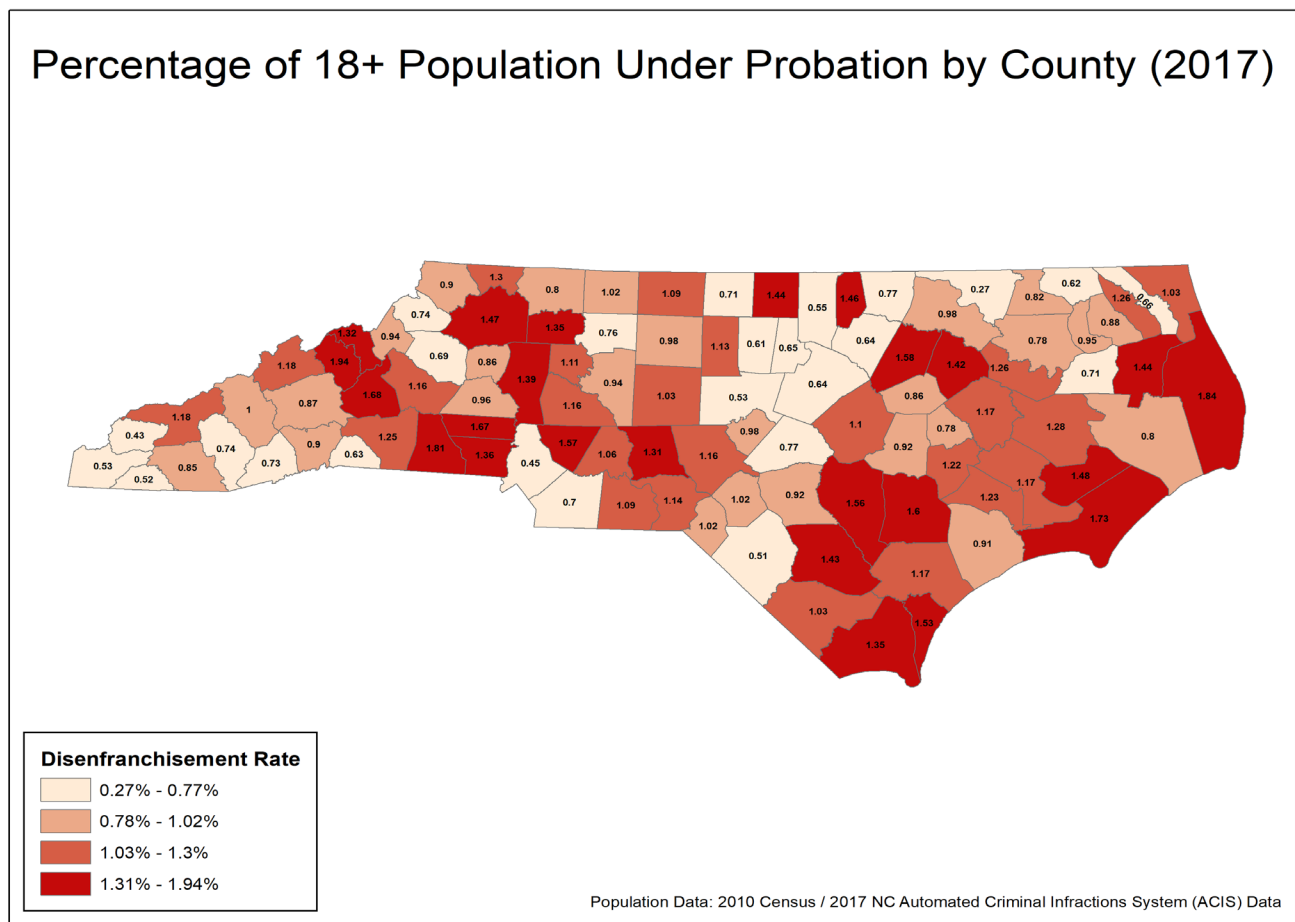
<sup>20</sup> Harry Enten, “How US rules on former felons voting can swing presidential elections,” The Guardian. July 3, 2012, <https://www.theguardian.com/commentisfree/2012/jul/03/us-rules-former-felons-voting-swing-elections>. (accessed August 1, 2019)

<sup>21</sup> Harry Enten, “Felon voting rights have a bigger impact on elections than voter ID laws,” The Guardian. July 31, 2013, <https://www.theguardian.com/commentisfree/2013/jul/31/felon-voting-rights-impact-on-elections>. (accessed August 1, 2019)

<sup>22</sup> U.S. Census Bureau, “Annual Estimates of the Resident Population by Sex, Age, Race Alone or in Combination, and Hispanic Origin for the United States and States: April 1, 2010 to July 1, 2018,” American FactFinder. June 2018, <https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=bkmk>. (accessed July 29, 2019)

<sup>23</sup> See the following North Carolina statutes: N.C. Gen. Stat. § 9–2 (2019), N.C. Gen. Stat. § 9–3 (2019) and N.C. Const. Art. VI, § 2(3). These three statutes, when read together, state that only North Carolina citizens registered to vote are eligible for potential jury service. Those serving felony probation are statutorily barred from even attempting to register to vote.

ment, overlapping with some of the most socio-economically challenged counties in the state, according to the U.S. Census latest five-year estimates.<sup>24</sup> The counties with the fewest resources and greatest needs have their voices disproportionately muted at the ballot box, further tilting the balance of power away from those who have historically been denied it.



**Figure 3:** Percentage of 18+ Population Under Felony Probation by County (Data provided by the NC Administrative Office of the Courts, Census, and ACIS.)

<sup>24</sup> U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimates, Citizen Voting Age Population (CVAP) Special Tabulation, 2018.

# Confusing Laws

North Carolina's felony disenfranchisement laws have caused confusion for voters, Boards of Elections, and community supervision officers. The confusion manifests in many different forms. Sometimes, an individual who is no longer incarcerated but not yet beyond corrections supervision does not realize they are ineligible and will vote. Others may sit out elections even after their rights have been restored due to the belief they are still ineligible and they fear prosecution for voting. A misinformed probation/post-release officer, a poll worker, a friend, or even the county Board of Elections may provide incorrect information. Confusion can arise as a result of voter registration forms and signage that are difficult to understand<sup>25</sup>, particularly for people with low levels of educational attainment.

## Failure to Inform

State law provides no clear direction as to who is responsible for informing people about their voter eligibility status when they are released from prison and/or still under felony community supervision. The only statute requiring a notice of loss of voting rights is N.C.G.S § 163-82.14(c)(3) which directs county Boards of Elections to maintain voter rolls and inform people after a felony conviction of their loss of voting rights via mail. This form of communication is flawed, as incarcerated individuals may never receive this notice of their loss of voting rights. Other than this section, there are no statutes that explicitly state who is responsible for informing people of their voting rights status before, during, and after felony probation.

In some cases, voters may not realize they are unable to vote because a probation officer failed to inform them of their ineligibility or a Board of Elections office wrongly sent them a voter registration card. This governmental failure makes prosecution of these citizens, who have made a simple mistake, even more galling, and explains why eligible voters might decline to participate rather than risk making a simple mistake.

In 2017, the North Carolina State Board of Elections released a "Post-Election Audit" alleging 441 North Carolinians on felony probation and post-release supervision attempted to vote in the 2016 General Election.<sup>26</sup> This realization prompted the state Board of Elections to implement processes that double-check the voter rolls for this population, as well as check the felony database at the time a person attempts to register to vote. The report identified multiple points in the justice system – entirely outside the control of the Board of Elections – at which individuals were not being informed of either their disenfranchisement or restoration of their right to vote.

After the State Board of Elections referred these cases<sup>27</sup> to prosecutors across the state, one county in particular pursued an especially large number of prosecutions against citizens on the felony charge of "voting while ineligible."<sup>28</sup> Alamance County, a rural county located between Greensboro and Chapel Hill, put itself at the center of controversy when then-District Attorney Pat Nadolski brought charges against twelve of the individuals identified through the State Board of Elections audit.

<sup>25</sup> Jack Healy, "Arrested, Jailed and Charged With a Felony. For Voting," The New York Times. August 2, 2018, [www.nytimes.com/2018/08/02/us/arrested-voting-north-carolina.html](http://www.nytimes.com/2018/08/02/us/arrested-voting-north-carolina.html). (accessed July 29, 2019)

<sup>26</sup> Post-Election Audit Report, (North Carolina State Board of Elections, 2016), [https://s3.amazonaws.com/dl.ncsbe.gov/sboe/Post-Election%20Audit%20Report\\_2016%20General%20Election/Post-Election\\_Audit\\_Report.pdf](https://s3.amazonaws.com/dl.ncsbe.gov/sboe/Post-Election%20Audit%20Report_2016%20General%20Election/Post-Election_Audit_Report.pdf)

<sup>27</sup> When an alleged criminal violation of the election laws is brought to the NC State Board of Elections (SBOE)'s attention, the investigative staff of the SBOE first investigates the allegations. The staff then sends its investigative report to the appropriate prosecutorial agencies for possible prosecution.

<sup>28</sup> Kate Croxton, "Felons Voting Stirs Debate in Alamance County," The Times-News. December 23, 2017, [www.thetimesnews.com/news/20171223/felons-voting-stirs-debate-in-alamance-county](http://www.thetimesnews.com/news/20171223/felons-voting-stirs-debate-in-alamance-county). (accessed July 29, 2019)

In almost every case, the persons in question indicated they were mistaken about their status and had not intended to violate the law. As indicated in several news articles, many of these voters said they would not have cast a ballot had they known that their status of being on probation made it illegal and were now scared to attempt to vote when eligible.<sup>29 30 31</sup>

Furthermore, state agencies appeared to acknowledge the confusion in the system that contributed to these mistakes. A letter sent from the North Carolina State Board of Elections to District Attorney Nadolski on July 12, 2017, revealed that the State Board investigators, as a matter of routine investigation procedures, contacted the Alamance County Chief Probation Officer to discuss the situation.

According to the letter, the Chief Probation Officer stated:

*...to his knowledge, providing information on the loss of voting rights to convicted felons is “not something consistently done” by probation officers in Alamance County. [He] also stated that during his time as a probation officer and as a supervisor that he is unaware of any procedures or documents in place telling defendants that they are ineligible to vote a [sic] convicted felon while on felony probation.<sup>32</sup>*

Probation offices across the state continue to inconsistently educate people on probation and post-release supervision about their voting rights. In a phone survey of probation offices conducted by the Southern Coalition for Social Justice<sup>33</sup>, eight counties of the fifty-five successfully reached noted that they believed it was the responsibility of the courts to inform clients of their loss of voting rights upon sentencing. In fact, neither the standard guilty plea forms nor the statutes requiring judges to advise defendants of their rights upon conviction contain any reference to the loss of voting rights. Four counties admitted that it was not policy to inform people of their loss of rights. Three were unsure about the type of information provided to people regarding their voting rights.

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29 Healy, Supra note 18.

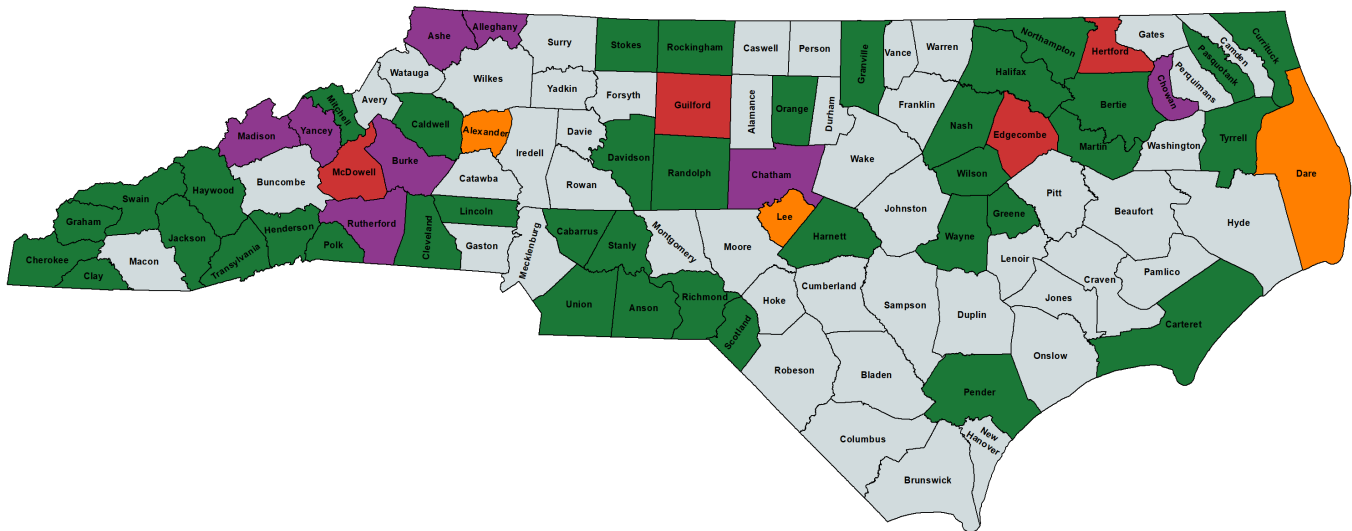
30 Sam Levine, “They Didn’t Know They Were Ineligible To Vote. A Prosecutor Went After Them Anyway,” The Huffington Post. August 13, 2018, [www.huffingtonpost.com/entry/alamance-county-felon-voting\\_us\\_5b71f4d8e4b0530743cca87d](http://www.huffingtonpost.com/entry/alamance-county-felon-voting_us_5b71f4d8e4b0530743cca87d). (accessed July 29, 2019)

31 Editorial Board, “Another Attack on Voting in North Carolina,” Charlotte Observer. August 14, 2018, [www.charlotteobserver.com/opinion/editorials/article216646385.html](http://www.charlotteobserver.com/opinion/editorials/article216646385.html). (accessed July 29, 2019)

32 Matthew Martucci to District Attorney Nadolski, July 12, 2017.

33 NC Probation Office Voting Rights Survey. Interview by the Southern Coalition for Social Justice, Phone interview, Durham, December 2018.

# Voting Rights Information Practices by NC County Probation Offices



## Notification Category

- Informs Upon Intake
- Does Not Inform
- Unsure
- Defers to Courts
- No Data

**Figure 4:** This map highlights county responses to a statewide survey to learn more about how probation officers inform people of their voting rights status. (Data sourced from a 100 county survey conducted by the Southern Coalition for Social Justice.)

All 55 counties interviewed provided a restoration of voting rights form to returning citizens upon successful completion of their terms of community supervision. This process does little to ensure people still serving their community supervision term are aware that they are ineligible and may face penalties for voting while on felony probation or post-release supervision. The restoration of rights form, provided along with other extensive paperwork incident to the end of probation, also places the burden on the individual to follow up with the county board of elections and re-register to vote. As Gaston County District Attorney Locke Bell noted in a recent interview, “The notice that they may not vote while on probation is buried in about eight or nine different lists of things on one sheet of paper.”<sup>34</sup>

There is no statutorily clear point at which a person is informed of their loss of voting rights through the criminal legal system during incarceration or community supervision.

<sup>34</sup> Lawson, Adam. “Gaston residents take pleas for illegal votes.” *Gaston Gazette*, July 26, 2019. Accessed August 1, 2019. <https://www.gaston-gazette.com/news/20190726/gaston-residents-take-pleas-for-illegal-votes>



**Figure 5:** Two of the individuals of the “Alamance 12” courtesy of Travis Dove/The New York Times/Redux

Ironically enough, the only point at which many individuals may realize they lost their right to vote is when they gain it back upon the completion of their probation or post-release supervision when the probation officer provides them with a notice of restoration of rights.

It is difficult, if not impossible, to calculate the full extent of disenfranchisement as a result of decades-long miseducation of voting rights for North Carolinians with criminal records. The churn of individuals in and out of probation, as well as inconsistent education on their voting rights, understates the true number of people who are disenfranchised.

## Voter Registration and Literacy

The felony disenfranchisement laws in North Carolina are confusing. Voter registration forms are replete with fine print that is difficult for the average voter to understand.<sup>35</sup> Furthermore, people who have been deprived of a quality education are disproportionately represented in the criminal legal system. In 2016, approximately 62% of all people housed in state facilities in the United States were unable to complete their high school education.<sup>36</sup>

Adults with low levels of literacy, approximately 14% of the adult population in North Carolina,<sup>37</sup> experience difficulty with reading and processing information. This statistic is critical in understanding why notices on government forms such as voter registration forms or instructions in prison exit packets are

<sup>35</sup> NC State Board of Elections & Ethics Enforcement, “North Carolina Voter Registration Application,” North Carolina State Board of Elections & Ethics Enforcement. 2018, <https://www.ncsbe.gov/Voter-Information/VR-Form>. (accessed 8 July 2019)

<sup>36</sup> Bureau of Justice Statistics, Survey of Prison Inmates, 2016.

<sup>37</sup> Elizabeth Greenberg, Ying Jin, and Sheida White, 2003 National Assessment of Adult Literacy (U.S. Department of Education, Institute of Education Sciences, National Center for Education Statistics, 2007), <https://nces.ed.gov/naal/pdf/2007464.pdf>. (accessed July 29, 2019)

# State Profiles

## Maryland

Marylanders can vote as soon as they leave prison, thanks to a 2016 state law. Before then, only individuals who had completed post-release supervision and/or probation could vote.

It is estimated that over 40,000 individuals regained their right to vote at the time the bill was passed into law.

## Florida

As of November 2018, over one million people gained the right to vote after completing felony sentences as a result of the passage of Amendment 4. This citizen referendum allows anyone who has completed their felony sentence to vote as long as they were not convicted of a murder or felony sex offense.

Prior to the passage of Amendment 4, one had to wait up to seven years to apply to appear before the governor. After becoming eligible for gubernatorial review, it could take several years. And finally, it was not guaranteed that one would regain the right to vote. According to the Florida Commission on Offender Review, only 1% was enfranchised under the previous system.

## Alabama

A 2017 law finally cleared up confusion surrounding Alabama's voting rights restoration process. Before the law, crimes of "moral turpitude" excluded individuals from regaining their right to vote. "Moral turpitude" is a vague legal term that led to different interpretations of the law by government officials who arbitrarily decided which crime made an individual ineligible.

Now, the state has clearly defined 46 crimes that lead to loss of voting rights. For more information, visit <https://www.aclualabama.org/en/voting-rights-restoration>.

insufficient mechanisms of warning individuals of their voting status.

In her expert testimony in the United States of America v. North Carolina, Kathryn Summers, Ph.D. examined the functionality of voter registration forms for low literacy adults. She concluded, “the voter registration form was difficult for low-literacy participants to fill out correctly. Changing the forms to adhere to best practices for low-literacy readers could help mitigate some of these problems, but are unlikely to resolve all of them.”<sup>38</sup>

If individuals are unable to comprehend or read the registration or voter restoration rights form they may accidentally sign their name on a document that holds them liable for a felony for voting at a later period in time without ever fully understanding the consequences.

## Policy Benefits

There are multiple benefits to setting a straightforward rule of re-enfranchisement at release from prison. Research indicates that civically engaged citizens are less likely to commit another crime, possibly because of the removal of the disadvantages that come with incomplete citizenship.<sup>39</sup> Allowing individuals living in our communities the right to vote may make those very communities safer by bringing more individuals into full citizenship and hastening their decriminalization. Additionally, the constant churn of probation can complicate the maintenance of voter rolls, risking inaccurate purges and distracting government officials from more serious threats to electoral safety. Changing state statutes so that people on community supervision may vote could make both our communities and electoral systems safer.

## Improved Public Safety

*“Bringing people into the political process makes them stakeholders, which in turn helps steer them away from future crimes.” - Erika Wood, New York Law School<sup>40</sup>*

As part of his amendment to Florida’s Clemency Rules in 2011, then-Governor Rick Scott required several departments to track the status of people whose rights were restored. One of the metrics tracked was recidivism. After several years of annual reports were released, an evaluation by an independent party observed the following:

*“In 2011, of the 52 people granted restoration of civil rights (RCR), zero were returned to custody. In 2012, out of the 342 people granted RCR, only one re-offended. In 2013, out of 569 people granted RCR, zero re-offended. In 2014, out of 562 people granted RCR, three reoffended. In 2015, of 427 people granted RCR, one re-offended. While there is not enough data to conclude that there is a direct correlation between restoring civil rights and decreased recidivism, the 0.4 percent average recidivism rate for those who have had their rights restored is eye-opening, and should be studied in more depth.”<sup>41</sup>*

<sup>38</sup> Kathryn Summers, court testimony, United States v. North Carolina, no. 13-cv-861 M.D.N.C. (2014).

<sup>39</sup> Uggen, “Citizenship, Democracy, and the Civic Reintegration of Criminal Offenders.”

<sup>40</sup> Wood, Erika L. Florida: An Outlier In Denying Voting Rights. Brennan Center for Justice, 2016, Florida: An Outlier In Denying Voting Rights, [www.brennancenter.org/sites/default/files/publications/Florida\\_Voting\\_Rights\\_Outlier.pdf](http://www.brennancenter.org/sites/default/files/publications/Florida_Voting_Rights_Outlier.pdf).

<sup>41</sup> Brentin Mock, “What Felony Disenfranchisement Does and Doesn’t Do,” CityLab. March 27, 2017, [www.citylab.com/equity/2017/03/letting-ex-felons-vote-doesnt-matter-except-when-it-does/520827/](http://www.citylab.com/equity/2017/03/letting-ex-felons-vote-doesnt-matter-except-when-it-does/520827/). (accessed July 29, 2019).

North Carolina's two-year recidivism rate currently stands at 40%,<sup>42</sup> meaning four out of ten individuals who exit the criminal legal system will re-enter it in some form within the next two years. While North Carolina does not have similar statistics on how voting itself affects recidivism, Florida's data suggest that states that make it easier to be civically engaged may also bring about the benefits of reduced rates of recidivism.

## Preventable Mistakes

A simplified system will help limit inaccurate voter purges. Currently, Boards of Elections must constantly verify the identities of persons to be removed from the rolls as a result of felony probation or post-release. Because the number and frequency of people entering and exiting probation and post-release is much higher than incarceration entry/exit rates, it can be harder to review eligibility. In 2016, the state of Arkansas attempted to remove 7,700 names from the roll due to felony convictions. However, the list was "highly inaccurate; it included people who had never been convicted of a felony, as well as persons with past convictions whose voting rights had been restored."<sup>43</sup> These easy-to-make mistakes could result in a voter without a criminal record being removed from the roll if they are mistaken for somebody with a similar identity with a criminal record during these audits.

In 2014, an eligible voter was incorrectly removed from the Carteret County voter roll. This individual was a registered voter with no felony convictions and no pending felony charges on her criminal record. Yet, she was told she could not vote in the November 2014 general election because her name had been included on a list of people with felony convictions removed from the voter roll. She cast a provisional ballot, which ultimately was not counted.<sup>44</sup> This story serves as an example to the confusion and mistakes that would be less of an issue in a system where the line for disenfranchisement is at incarceration. The high volume and churn of people under community supervision makes mistakes like these far more likely.

## Election and Safety Administration

Due to the uncertain length of felony probation, the different types of probation, and the fact that those on probation are living in the community among their fellow citizens, the Department of Public Safety and Board of Elections staff must consistently dedicate time to reviewing, confirming, and removing ineligible voters as a result of their felonies. 31,454 people with felonies entered prison in 2017 alone.<sup>45</sup> During the same time, 30,236 people were released from community supervision.<sup>46</sup> Each county Board of Elections is responsible for tracking and informing people of their revocation of voting rights when they are sentenced with a felony.<sup>47</sup> However, the probation officers must inform people of their restoration of rights when they are terminated from community supervision.<sup>48</sup>

42 Recidivism of Adult Offenders in North Carolina (North Carolina Sentencing and Policy Advisory Commission, 2017). [https://www.ncleg.gov/documents/sites/committees/JointAppropriationsJPS/2017%20Session/2017-03-09%20Recidivism%20Reentry/002\\_SPAC\\_Adult%20Recidivism\\_Presentation\\_2017\\_03\\_09.pdf](https://www.ncleg.gov/documents/sites/committees/JointAppropriationsJPS/2017%20Session/2017-03-09%20Recidivism%20Reentry/002_SPAC_Adult%20Recidivism_Presentation_2017_03_09.pdf). (accessed July 29, 2019).

43 Jonathan Brater, Kevin Morris, Myrna Pérez, and Christopher Deluzio, *Purges: A Growing Threat to the Right to Vote*, (Brennan Center for Justice, 2018), 1. <https://www.brennancenter.org/publication/purges-growing-threat-right-vote>.

44 Plaintiff's Joint Proposed Findings of Fact and Conclusions of Law, Ex. A, *League of Women Voters of North Carolina, et al., v. The State of North Carolina, et. al*, 769 F.3d 224 (4th Cir. 2014) (No. 14-1845, 1856, 1859)

45 It should be noted that not all individuals received prison time when convicted with a felony. Boards of Elections must track felony convictions that result in both incarceration and felony probation status.

46 NC DPS Office of Research and Planning, "NC Offender Population Statistical Report," Automated System Query, 2019. <http://webapps6.doc.state.nc.us/apps/asqExt/ASQ>. (accessed July 31, 2019).

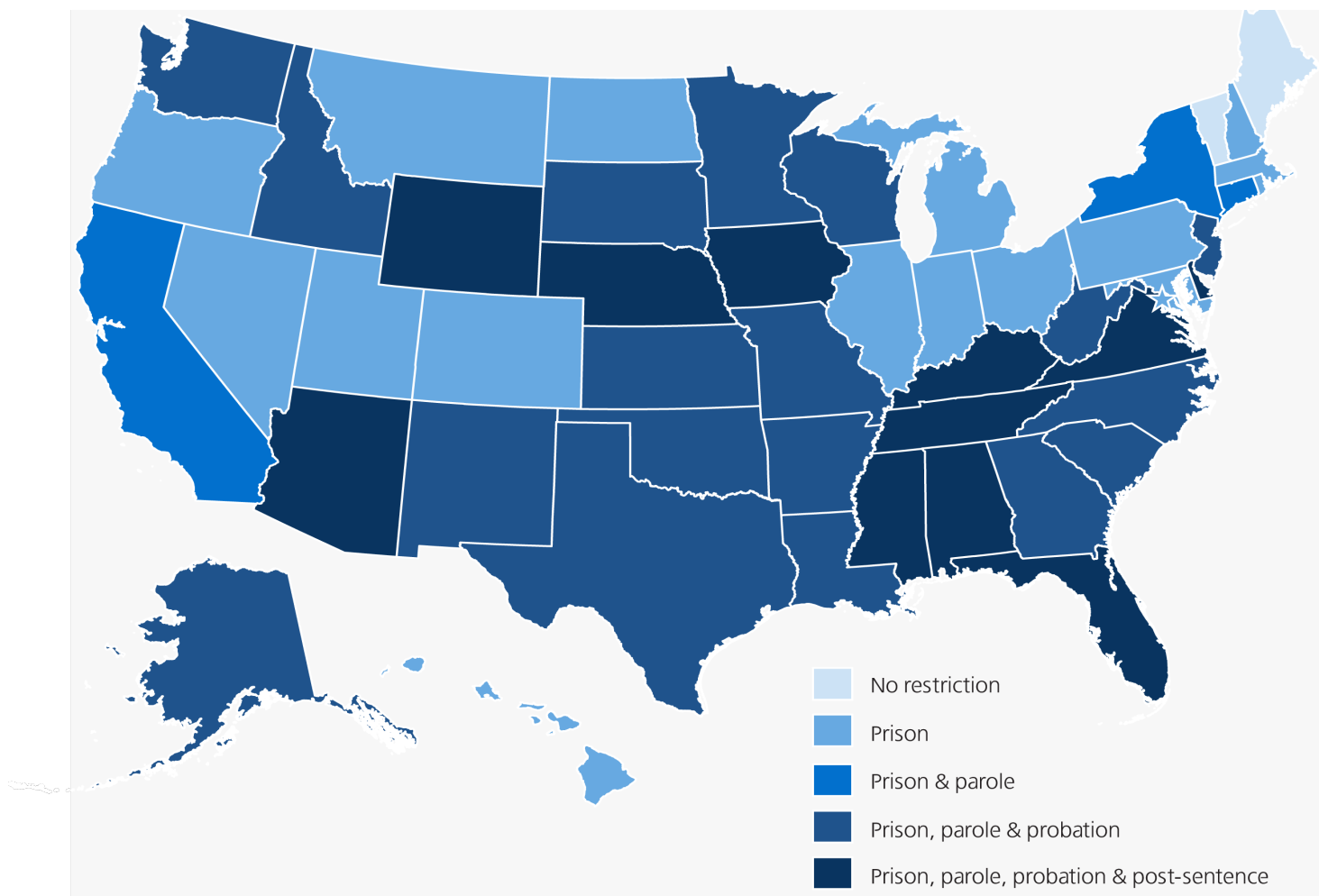
47 N.C. Gen. Stat. § 163-82.14(c) (2019) (previously codified at § 163A-877(c) (2018)).

48 Division of Adult Correction and Juvenile Justice, *Community Corrections Policy & Procedures*, North Carolina Department of Public Safety Division of Adult Correction and Juvenile Justice, 2019, 2. <https://files.nc.gov/ncdps/documents/files/Policy.pdf>

The constant review of these circumstances by multiple agencies burdens elections officers and public safety personnel, diverting their attention from more serious threats to election administration and public safety. Allowing people in the community to vote will ease the burden on administrative officials. This legal change will reduce the level of confusion and mistakes that currently occur when determining voter eligibility.

## National Trend

There is hope on the horizon. According to The Sentencing Project, there are currently 17 states that only restrict voting rights for people who are incarcerated, including Utah, Montana, and New Hampshire. Two states, Maine and Vermont, never strip away a person's right to vote.<sup>49</sup> States with restrictive or confusing language, such as Alabama and Maryland, have been simplifying their laws on felony disenfranchisement.



**Figure 6:** Sentencing Project's Felony Disenfranchisement Restrictions by State, 2019.

<sup>49</sup> Uggen, *Supra* note 1.

# Recommendation

The North Carolina General Assembly has the power to amend N.C.G.S § 13-1 and associated statutes so that people on felony probation and post-release supervision regain the right to vote. The General Assembly exercised this power in 1971 and 1973 to take a step toward a simpler system of restoration of rights. Almost fifty years later, and with the knowledge of the difficulties of the current process, it is time for the General Assembly to bring North Carolina into the present along with those states that have created a bright-line system for restoration of the right to vote upon release from prison.

As it stands, North Carolina's current voting restrictions are not helping people successfully integrate back into our communities. According to social scientist Christopher Uggen, civic engagement is correlated with reduced recidivism rates. Engagement in societal responsibilities contributes to a socialization, which creates a respect and zeal for participating in the political process. Currently, if someone tries to reintegrate by civic participation, they face confusing laws that can lead to further incarceration and administrative headaches for Boards of Elections and probation offices.

In order to help our fellow citizens reintegrate into our communities as productive members of society, we must also give them the right to vote.

By changing the statute, North Carolina will finally join the 17 other states that have set a bright-line rule for felony disenfranchisement at incarceration for felony disenfranchisement. It is time for these taxpayers to regain their ability to vote.

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# NORTH CAROLINA

State Board of Elections & Ethics Enforcement

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July 12, 2017

Honorable District Attorney Pat Nadolski  
District Attorney-Prosecutorial Judicial District 15A  
212 West Elm Street  
Graham NC 27253  
336-570-5210

Case Number: 2017-051 [REDACTED]

Case Number: 2017-052 [REDACTED]

Case Number: 2017-053 [REDACTED]

Case Number: 2017-054 [REDACTED]

Case Number: 2017-055 [REDACTED]

Case Number: 2017-056 [REDACTED]

Case Number: 2017-057 [REDACTED]

Case Number: 2017-058 [REDACTED]

Case Number: 2017-311 [REDACTED]

Case Number: 2017-313 [REDACTED]

Case Number: 2017-314 [REDACTED]

Case Number: 2017-315 [REDACTED]

Case Number: 2017-316 [REDACTED]

Dear District Attorney Nadolski,

The North Carolina State Board of Elections & Ethics Enforcement Investigations Division has received and examined all documents and reports for several suspected felon voters in Judicial District 15A, County District Attorney's Offices, North Carolina. The documents indicate that the aforementioned individuals voted in the November 08, 2016 General Election after having been convicted of a felony while still on probation/parole.

Under NC 163-275 (5) it is a Class I Felony for any person who has been convicted of a crime which excludes the person from the right of suffrage, to vote at any primary or election without having been restored to the right of citizenship in due course and by the method provided by law.

On January 25, 2017, the North Carolina State Board of Elections Investigations Division & Ethics Enforcement compared voter documents to the Criminal Justice Law Enforcement Data Service (CJ LEADS) database and confirmed that the aforementioned individuals did vote in the November 08, 2016 General Elections as convicted felons while on probation/parole.

As a routine part of the investigative process, State Board investigators interview voters and their assigned probation officers. Accordingly, the State Board contacted Chief Probation

Officer Aries Cox, Alamance County Probation. Cox stated that due to his concern that interviewing probation officers about their conversations with defendants would possibly violate confidentiality policies set by his office, he would not be in a position to allow his probation officers to divulge information without a subpoena or other form of a court order. However, Cox stated to his knowledge, providing information on the loss of voting rights to convicted felons is “not something that is consistently done” by probation officers in Alamance County. Cox stated that during his time as a probation officer and as a supervisor that he is unaware of any procedures or documents in place telling defendants that they are ineligible to vote a convicted felon while on felony probation.

Based on documentary evidence and defendant interviews (if located), there is evidence that the aforementioned individuals voted in the November 08, 2016 General Election as convicted felons, in violation of NCGS 163-275 (5). However, all of the defendants who were located and interviewed stated they were never informed of their loss of voting rights upon conviction and sentencing. A review of the associated judgements and plea agreements by SBE investigators determined that those documents likewise do not inform defendants upon a plea or at sentencing, that they are not eligible to vote as convicted felons while on probation/parole.

The State Board’s registration and voting forms contain warnings advising convicted felons that they may not vote. They also warn registrants that fraudulently or falsely completing this form is a Class I Felony under Chapter 163 of the NC General Statutes. North Carolina’s current voter registration form, which must be signed by the voter, includes several attestations, including the following:

I have not been convicted of a felony, or if I have been convicted of a felony, I have completed my sentence, including any probation or parole. (Citizenship and voting rights are automatically restored upon completion of the sentence. No special document is needed.)

Some previous versions of the State Board’s voter registration form, which were used during the time period associated with the above named voters, did not specify that an individual serving felony probation or parole was disqualified from voting. For example, one previous version stated: “If I have been convicted of a felony, my rights of citizenship have been restored.” However, other versions were more specific in advising that the felon must have completed probation or parole before registering and voting. The affirmation on a version of the One-Stop Application, which some early voters may have signed when they voted in person, stated in part: “I further certify that I am not currently serving a sentence, probation or parole for a felony conviction in a North Carolina state court, or any other state court, or in any United States District Court.” The “Authorization to Vote Form,” used on Election Day, did not inform voters that felons serving an active sentence, including probation and parole, are disqualified from voting, but as stated above, it contained a general warning that fraudulently or falsely completing the form is a Class I Felony. Because of the differing language in the above forms, the SBE recommends that each case be evaluated on an individual basis to determine what information was provided by the registration/voting forms to the felon voter.

In situations where a voter legally registers to vote, and then later becomes a convicted felon after having registered, the voter is sent a “removal letter” via U.S. Mail from the county

board of elections which advises the voter that their registration is being cancelled based upon notification to the county BOE that they have been convicted of a felony. That removal letter serves as both a notification and an additional warning concerning the law. A post-election audit and subsequent investigations determined that some registrants who became felons were not timely removed from the voter rolls. Some individuals who registered to vote and subsequently became felons were not notified that they were not qualified to vote, and because the Authorization to Vote Form did not specify the voter qualifications they may not have been informed prior to voting that they were not qualified to do so.

The State Board is in the process of revising registration and voting forms to improve the clarity and effectiveness of the warnings already contained on registration and voting documents. The State Board is also consulting with the NCDOC to make improvements to the notification and documentation process associated with informing convicted felons that their voting rights are forfeited until such time as they have completed their sentence, including periods of probation and parole.

The combination of voting document warnings, warnings in plea agreements, probation officer check lists/warnings, and the information contained in felon removal letters sent to the felon registrants by the county BOEs, represents the totality of the documents containing evidence of possible warnings provided to the felon voters that have been examined, to the extent that they exist, in the above referenced investigations.

Under N.C. GS 163-22 (d), the State Board has a duty to investigate violations of election laws in North Carolina, and to report the results of those investigations to the district attorney for that county for further investigation and prosecution.

As such, the following documents are available to you for your consideration:

- 1) Voter Registration Documents
- 2) North Carolina Voter Document History
- 3) One Stop Application and Authorize to Vote (ATV's)
- 4) CJ Leads showing Felony Conviction in Superior Court
- 5) State of North Carolina Plea Agreements
- 6) Memorandums prepared by Investigators

The results of our investigation are being presented for whatever prosecutive action is deemed appropriate by the Judicial District 15A County District Attorney's Offices. Please contact North Carolina State Board of Elections & Ethics Enforcement Investigator Matthew F. Martucci with any questions or for additional information at 919-715-1827 or [matthew.martucci@ncsbe.gov](mailto:matthew.martucci@ncsbe.gov).

Thank you for your time and consideration, we look forward to your response on this matter.

Sincerely,

Matthew F. Martucci  
Investigator  
North Carolina State Board of Elections & Ethics Enforcement

## Number of People Disenfranchised by County

Court County	Race	Sex	Number of Records
ALAMANCE	Asian	Female	1
		Male	13
	Black	Female	369
		Male	997
	Hispanic	Female	23
		Male	203
	White	Female	519
		Male	1,135
ALEXANDER	Asian	Female	1
		Male	2
	Black	Female	13
		Male	50
	Hispanic	Female	2
		Male	20
	White	Female	151
		Male	350
ALLEGHANY	Black	Male	8
		Female	1
	Hispanic	Female	26
		Male	79
	White	Male	137
ANSON	Black	Female	58
		Male	277
	Hispanic	Female	1
		Male	5
	White	Female	54
		Male	100
ASHE	Black	Female	1
		Male	5
	Hispanic	Female	1
		Male	25

# Number of People Disenfranchised by County

Court County	Race	Sex	Number of Records
ASHE	White	Female	135
		Male	270
AVERY	Black	Female	2
		Male	6
	Hispanic	Male	15
		Female	87
	White	Female	223
		Male	223
BEAUFORT	Asian	Male	1
		Female	121
	Black	Female	448
		Male	3
	Hispanic	Female	49
		Male	191
	White	Female	400
		Male	400
BERTIE	Black	Female	51
		Male	202
	Hispanic	Male	3
		Female	11
	White	Female	56
		Male	56
BLADEN	Black	Female	86
		Male	378
	Hispanic	Female	1
		Male	37
	White	Female	118
		Male	256
	Black	Female	107
		Male	430
BRUNSWICK	Hispanic	Female	15
		Male	120
	White	Female	588
		Male	1,250

Number of Records



# Number of People Disenfranchised by County

Court County	Race	Sex	Number of Records
BUNCOMBE	Asian	Female	5
		Male	11
	Black	Female	139
		Male	417
	Hispanic	Female	9
		Male	115
	White	Female	819
		Male	1,873
BURKE	Asian	Female	1
		Male	17
	Black	Female	49
		Male	174
	Hispanic	Female	5
		Male	72
	White	Female	487
		Male	1,014
CABARRUS	Asian	Female	4
		Male	12
	Black	Female	342
		Male	1,044
	Hispanic	Female	39
		Male	226
	White	Female	781
		Male	1,424
CALDWELL	Asian	Female	1
		Male	3
	Black	Female	42
		Male	109
	Hispanic	Female	2
		Male	29
	White	Female	337
		Male	

# Number of People Disenfranchised by County

Court County	Race	Sex	Number of Records
CALDWELL	White	Male	657
CAMDEN	Asian	Male	2
	Black	Female	8
		Male	27
	Hispanic	Male	1
	White	Female	17
		Male	49
CARTERET	Asian	Female	4
		Male	5
	Black	Female	36
		Male	190
	Hispanic	Female	6
		Male	38
	White	Female	452
		Male	943
CASWELL	Black	Female	30
		Male	123
	Hispanic	Female	1
		Male	6
	White	Female	42
		Male	99
CATAWBA	Asian	Female	3
		Male	32
	Black	Female	138
		Male	425
	Hispanic	Female	15
		Male	86
	White	Female	537
		Male	1,082
CHATHAM	Asian	Male	2
	Black	Female	36

# Number of People Disenfranchised by County

Court County	Race	Sex	Number of Records
CHATHAM	Black	Male	108
	Hispanic	Female	6
		Male	42
	White	Female	93
		Male	221
CHEROKEE	Black	Female	3
		Male	17
	Hispanic	Female	2
		Male	4
	White	Female	130
		Male	285
CHOWAN	Black	Female	31
		Male	143
	Hispanic	Male	2
	White	Female	21
		Male	63
CLAY	Black	Female	1
		Male	3
	Hispanic	Male	2
	White	Female	32
		Male	78
CLEVELAND	Asian	Female	1
		Male	9
	Black	Female	289
		Male	940
	Hispanic	Female	14
		Male	55
	White	Female	635
		Male	1,381
COLUMBUS	Black	Female	122
		Male	407



# Number of People Disenfranchised by County

Court County	Race	Sex	Number of Records
COLUMBUS	Hispanic	Female	5
		Male	28
	White	Female	167
		Male	386
CRAVEN	Asian	Female	2
		Male	7
	Black	Female	269
		Male	697
	Hispanic	Female	15
		Male	72
	White	Female	450
		Male	731
CUMBERLAND	Asian	Female	8
		Male	11
	Black	Female	574
		Male	1,883
	Hispanic	Female	44
		Male	128
	White	Female	504
		Male	958
CURRITUCK	Black	Female	9
		Male	50
	Hispanic	Male	8
	White	Female	115
		Male	286
DARE	Black	Female	26
		Male	102
	Hispanic	Female	1
		Male	44
	White	Female	268
		Male	671

# Number of People Disenfranchised by County

Court County	Race	Sex	Number of Records
DAVIDSON	Asian	Female	2
		Male	15
	Black	Female	145
		Male	486
	Hispanic	Female	12
		Male	101
	White	Female	635
		Male	1,350
DAVIE	Asian	Male	3
	Black	Female	26
		Male	86
	Hispanic	Female	5
		Male	34
	White	Female	155
		Male	344
DUPLIN	Asian	Female	1
	Black	Female	114
		Male	439
	Hispanic	Female	15
		Male	141
	White	Female	138
		Male	336
DURHAM	Asian	Female	2
		Male	15
	Black	Female	494
		Male	1,850
	Hispanic	Female	38
		Male	292
	White	Female	264
		Male	601
EDGECOMBE	Black	Female	433

# Number of People Disenfranchised by County

Court County	Race	Sex		Number of Records	
EDGECOMBE	Black	Male	1,326	1	4,301
	Hispanic	Female	5		
		Male	30		
	White	Female	161		
		Male	326		
	FORSYTH	Asian	Female	5	
Male			17		
Black		Female	950		
		Male	2,717		
Hispanic		Female	82		
		Male	536		
White		Female	1,012		
		Male	2,096		
FRANKLIN	Asian	Male	2		
	Black	Female	90		
		Male	344		
	Hispanic	Female	2		
		Male	54		
	White	Female	110		
Male		361			
GASTON	Asian	Female	4		
		Male	20		
	Black	Female	383		
		Male	1,238		
	Hispanic	Female	21		
		Male	105		
	White	Female	1,076		
		Male	2,256		
GATES	Black	Female	15		
		Male	70		
	White	Female	15		

# Number of People Disenfranchised by County

Court County	Race	Sex	Number of Records
GATES	White	Male	55
GRAHAM	Hispanic	Male	1
	White	Female	31
		Male	88
GRANVILLE	Black	Female	81
		Male	395
	Hispanic	Female	1
		Male	32
	White	Female	86
		Male	215
GREENE	Black	Female	68
		Male	190
	Hispanic	Female	8
		Male	32
	White	Female	27
		Male	82
GUILFORD	Asian	Female	16
		Male	83
	Black	Female	1,116
		Male	3,761
	Hispanic	Female	45
		Male	361
	White	Female	1,221
		Male	2,464
HALIFAX	Black	Female	149
		Male	673
	Hispanic	Male	15
	White	Female	100
		Male	207
HARNETT	Asian	Male	1
	Black	Female	109

Number of Records

1  4,301

# Number of People Disenfranchised by County

Court County	Race	Sex	Number of Records
HARNETT	Black	Male	510
	Hispanic	Female	10
		Male	79
	White	Female	219
		Male	557
HAYWOOD	Asian	Male	3
	Black	Female	12
		Male	39
	Hispanic	Female	3
		Male	28
	White	Female	343
		Male	864
HENDERSON	Asian	Female	1
		Male	1
	Black	Female	32
		Male	129
	Hispanic	Female	8
		Male	93
	White	Female	427
		Male	899
HERTFORD	Black	Female	95
		Male	287
	Hispanic	Male	4
	White	Female	35
		Male	61
HOKE	Asian	Male	1
	Black	Female	59
		Male	312
	Hispanic	Female	5
		Male	29
	White	Female	61

# Number of People Disenfranchised by County

Court County	Race	Sex	Number of Records
HOKE	White	Male	124
		Female	5
HYDE	Black	Male	22
		Female	3
	Hispanic	Male	10
		Female	63
	White	Male	4
		Female	14
IREDELL	Asian	Male	296
		Female	832
	Black	Male	38
		Female	150
	Hispanic	Male	887
		Female	1,746
	White	Male	2
		Female	7
	Black	Male	17
		Female	31
JACKSON	Asian	Male	7
		Female	377
	Black	Male	147
		Female	377
	Hispanic	Male	147
		Female	377
JOHNSTON	Asian	Male	1
		Female	2
	Black	Male	222
		Female	779
	Hispanic	Male	28
		Female	294
	White	Male	480
		Female	1,000
JONES	Black	Male	13
		Female	78

# Number of People Disenfranchised by County

Court County	Race	Sex	Number of Records
JONES	Hispanic	Male	3
	White	Female	45
		Male	78
LEE	Black	Female	101
		Male	370
	Hispanic	Female	13
		Male	94
	White	Female	149
		Male	349
LENOIR	Asian	Male	3
	Black	Female	326
		Male	981
	Hispanic	Female	5
		Male	82
	White	Female	173
LINCOLN		Male	443
	Asian	Male	5
	Black	Female	59
		Male	233
	Hispanic	Female	11
		Male	57
MACON	White	Female	513
		Male	1,105
	Black	Female	2
		Male	9
	Hispanic	Female	6
		Male	44
MADISON	White	Female	153
		Male	380
	Asian	Male	1
	Black	Male	8

Number of Records

1  4,301

# Number of People Disenfranchised by County

Court County	Race	Sex	Number of Records
MADISON	Hispanic	Male	7
	White	Female	127
		Male	303
MARTIN	Black	Female	90
		Male	307
	Hispanic	Male	14
	White	Female	72
		Male	145
MCDOWELL	Asian	Male	1
	Black	Female	16
		Male	64
	Hispanic	Female	3
		Male	53
	White	Female	391
		Male	842
MECKLENBURG	Asian	Female	15
		Male	75
	Black	Female	972
		Male	4,209
	Hispanic	Female	59
		Male	429
	White	Female	800
		Male	1,939
MITCHELL	Black	Male	3
	Hispanic	Male	11
	White	Female	97
		Male	259
MONTGOMERY	Asian	Female	3
		Male	6
	Black	Female	65
		Male	195

# Number of People Disenfranchised by County

Court County	Race	Sex	Number of Records
MONTGOMERY	Hispanic	Female	7
		Male	70
	White	Female	110
		Male	236
MOORE	Asian	Male	2
	Black	Female	150
		Male	439
	Hispanic	Female	10
		Male	59
	White	Female	380
		Male	757
NASH	Asian	Male	5
	Black	Female	617
		Male	1,730
	Hispanic	Female	5
		Male	90
	White	Female	323
		Male	691
NEW HANOVER	Asian	Female	3
		Male	14
	Black	Female	389
		Male	1,241
	Hispanic	Female	23
		Male	119
NORTHAMPTON	White	Female	1,115
		Male	2,430
	Black	Female	37
		Male	167
	Hispanic	Male	1
	White	Female	10
		Male	34

# Number of People Disenfranchised by County

Court County	Race	Sex	Number of Records
ONSLOW	Asian	Female	7
		Male	14
	Black	Female	199
		Male	665
	Hispanic	Female	22
		Male	87
	White	Female	593
		Male	1,153
ORANGE	Asian	Female	2
		Male	22
	Black	Female	120
		Male	414
	Hispanic	Female	14
		Male	86
	White	Female	223
		Male	541
PAMLICO	Black	Female	16
		Male	63
	Hispanic	Male	5
	White	Female	92
		Male	173
PASQUOTANK	Asian	Male	4
	Black	Female	129
		Male	443
	Hispanic	Male	11
	White	Female	113
		Male	274
PENDER	Black	Female	43
		Male	206
	Hispanic	Female	8
		Male	34

# Number of People Disenfranchised by County

Court County	Race	Sex	Number of Records
PENDER	White	Female	224
		Male	488
PERQUIMANS	Asian	Female	1
		Male	17
	Black	Female	72
		Male	3
	Hispanic	Female	38
		Male	74
PERSON	Black	Female	104
		Male	350
	Hispanic	Female	1
		Male	14
	White	Female	150
		Male	305
PITT	Asian	Female	5
		Male	490
	Black	Female	1,574
		Male	11
	Hispanic	Female	91
		Male	357
	White	Female	827
		Male	4
POLK	Black	Female	27
		Male	1
	Hispanic	Female	9
		Male	92
	White	Female	162
		Male	4
RANDOLPH	Asian	Female	5
		Male	143
	Black	Female	472
		Male	

# Number of People Disenfranchised by County

Court County	Race	Sex	Number of Records
RANDOLPH	Hispanic	Female	44
		Male	250
	White	Female	685
		Male	1,387
RICHMOND	Asian	Male	1
	Black	Female	99
		Male	320
	Hispanic	Female	3
		Male	11
	White	Female	178
		Male	340
ROBESON	Asian	Male	4
	Black	Female	224
		Male	764
	Hispanic	Female	14
		Male	109
	White	Female	191
		Male	269
ROCKINGHAM	Asian	Female	1
		Male	2
	Black	Female	84
		Male	405
	Hispanic	Female	4
		Male	36
	White	Female	341
		Male	719
ROWAN	Asian	Female	3
		Male	10
	Black	Female	330
		Male	897
	Hispanic	Female	24

Number of Records



# Number of People Disenfranchised by County

Court County	Race	Sex	Number of Records
ROWAN	Hispanic	Male	123
	White	Female	936
		Male	1,681
RUTHERFORD	Asian	Female	2
		Male	3
	Black	Female	76
		Male	301
	Hispanic	Female	2
		Male	25
	White	Female	448
		Male	919
SAMPSON	Asian	Male	1
	Black	Female	121
		Male	453
	Hispanic	Female	28
		Male	122
	White	Female	182
		Male	353
SCOTLAND	Asian	Male	4
	Black	Female	128
		Male	328
	Hispanic	Female	1
		Male	8
	White	Female	83
		Male	169
STANLY	Asian	Male	12
	Black	Female	76
		Male	319
	Hispanic	Female	2
		Male	25
	White	Female	257

Number of Records

1  4,301

# Number of People Disenfranchised by County

Court County	Race	Sex	Number of Records
STANLY	White	Male	639
STOKES	Asian	Female	1
	Black	Female	21
		Male	78
	Hispanic	Female	2
		Male	13
	White	Female	240
		Male	538
SURRY	Black	Female	25
		Male	113
	Hispanic	Female	8
		Male	53
	White	Female	383
		Male	770
SWAIN	Black	Male	7
	Hispanic	Male	4
	White	Female	67
		Male	154
TRANSYLVANIA	Black	Female	7
		Male	38
	Hispanic	Female	3
		Male	10
	White	Female	127
		Male	293
TYRRELL	Asian	Male	2
	Black	Female	8
		Male	45
	Hispanic	Female	1
		Male	4
	White	Female	18
		Male	56

# Number of People Disenfranchised by County

Court County	Race	Sex	Number of Records
UNION	Asian	Male	6
	Black	Female	153
		Male	654
	Hispanic	Female	15
		Male	101
	White	Female	355
		Male	994
VANCE	Asian	Male	1
	Black	Female	200
		Male	656
	Hispanic	Female	6
		Male	47
	White	Female	97
		Male	278
WAKE	Asian	Female	26
		Male	70
	Black	Female	1,294
		Male	4,301
	Hispanic	Female	76
		Male	437
	White	Female	1,333
		Male	3,302
WARREN	Black	Female	41
		Male	218
	Hispanic	Female	3
		Male	13
	White	Female	10
		Male	53
WASHINGTON	Black	Female	33
		Male	155
	Hispanic	Male	4

# Number of People Disenfranchised by County

Court County	Race	Sex	Number of Records
WASHINGTON	White	Female	18
		Male	62
WATAUGA	Asian	Female	1
		Male	3
	Black	Female	8
		Male	63
	Hispanic	Female	1
		Male	24
	White	Female	238
		Male	656
WAYNE	Asian	Female	1
		Male	5
	Black	Female	441
		Male	1,388
	Hispanic	Female	16
		Male	203
	White	Female	312
		Male	770
WILKES	Asian	Female	1
		Male	2
	Black	Female	63
		Male	163
	Hispanic	Female	6
		Male	77
	White	Female	548
		Male	982
WILSON	Asian	Male	1
		Female	381
	Black	Male	1,024
		Female	22
	Hispanic	Male	99

# Number of People Disenfranchised by County

Court County	Race	Sex	Number of Records
WILSON	White	Female	176
		Male	404
YADKIN	Black	Female	21
		Male	67
	Hispanic	Female	2
		Male	60
	White	Female	227
		Male	432
YANCEY	Asian	Female	1
	Black	Female	3
		Male	13
	Hispanic	Female	1
		Male	36
	White	Female	105
		Male	312

