



Restore Your Right to Vote!

A How to Guide

For Chattanooga, Tennessee

★ Why vote?

Voting matters because you matter. Applying for voting restoration is one of the most straightforward ways that you can begin to rebuild your life.

- Restoring your right to vote demonstrates to potential employers that you are trying to be an active member of society.
- Restoring your right to vote may help you in other legal procedures, such as restoring your full citizenship.
- When you vote, your voice is heard. You can vote on issues that matter to you and those you love. You can help elect politicians that will represent your community's best interests.
- In most cases, there are no fees for the restoration process.

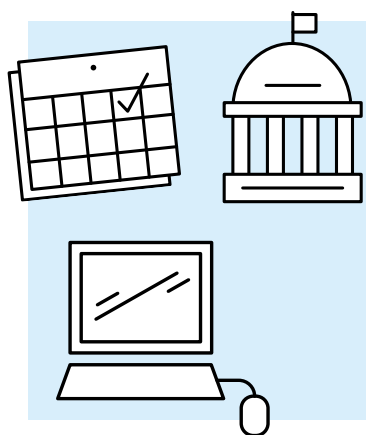
This guide will:

- Help you determine if you are eligible to restore your right to vote
- Outline the legal process with step-by-step instructions, including which forms to fill out, how long it takes, where to get the forms and where to turn them in
- Briefly touch on expungements and the process for restoring your full citizenship rights (these are different than voting rights)
- Point to ongoing resources for re-entry services like job fairs and counseling support

This guide is not legal advice. If you have questions that require legal counsel, consult an attorney.

★ Am I eligible? PART 1

Before you apply, make sure you are eligible. Eligibility conditions are based on the **date of conviction**. This is the date that the “guilty” sentence was announced in court. This is not the same as the date of your arrest or the date of the offense.



If you aren't sure of the date of your conviction, you can find it by searching court documents or public records. Conviction history is public information. If you know the county in which the conviction took place, you can contact or visit the Criminal Court to access your information. There may be a fee for accessing this information online.

In Hamilton County, you can search your records online here:
cjuscriminal.hamiltontn.gov/appfolder/cc_Web_Calendar.aspx

★ Am I eligible? PART 2

Find the date of your conviction below. Start by reading the rules in the blue column on the left. If these apply to you, then move on to the white column on the right and read the additional rules.

Convictions after May 17, 1981

You **are** eligible if one of these applies:

- You received a pardon
- Your maximum sentence expired
- You were granted a final release from incarceration or supervision by parole, department of correction, or county correction authorities

and if both of these apply:

- Your court order restitution fees and court-ordered costs are paid
- Your child support payments are up-to-date

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* For more detailed information about these types of felony convictions, look up TCA 40-39-202 online

** More detailed information is outlined in TCA Title 39, Chapter 16, Parts 1, 4, and 5 which you can look up online

On or after July 1, 2006

You are **not** eligible if you were convicted of:

- Murder* (any degree)
- Rape or Violent Sexual Offense*
- Treason
- Voter Fraud
- Bribery**
- Misconduct involving public officials and employees**
- Obstruction of Justice*

Between July 1, 1996 and June 30, 2006

You are **not** eligible if you were convicted of:

- Murder* (any degree)
- Rape or Violent Sexual Offense*
- Treason
- Voter Fraud

Between July 1, 1986 and June 30, 1996

You are **not** eligible if you were convicted of:

- First degree murder
- Aggravated Rape
- Treason
- Voter Fraud

Between May 18, 1981 and June 30, 1986

All felony types **are** eligible for voting restoration. There are no additional rules.

Convictions between January 15, 1973 and May 17, 1981

During this time period, people convicted of felonies did not forfeit their right to vote. Therefore, it is not necessary to apply for voter restoration. You may register to vote.

Convictions before January 15, 1973

To learn the eligibility requirements and voting rights restoration process for convictions during this time period, contact the Office of the City Attorney at (423) 643-8250 or visit restoremyrights.com.

★ How do I apply?

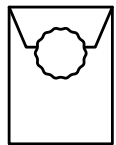
For most people, the process is three simple steps. First, determine if you are eligible (see previous section). If you are eligible, then find the date of your conviction below and read the steps involved.

Convictions after May 17, 1981



Step 1

Get a **Certificate of Restoration of Voting Rights form** (to find out where, turn the page and see “What are all these forms?”). Have it completed on your behalf by a pardoning authority, such as a probation or parole officer, or an agent of the Federal, Criminal, or Circuit Court in the county where you reside.



Step 2

Present the completed Certificate of Restoration of Voting Rights form to the office of the Election Commission in the county where you live. The County Administrator of Elections will send a copy of your document to the Coordinator of Elections to be verified. The Coordinator will also verify that you do not have any outstanding child support payments due. This may take several days. After verification, you will be contacted by mail or by phone informing you of the results.



Step 3

If your request was approved, you may register to vote! Fill out a **Voter Registration form** and submit it to the Election Commission. You will receive a card in the mail that tells you where your polling place is located. Register at least 30 days ahead of the election in which you want to vote.

Additional options

The Hamilton County Election Commission will accept a **court order** that restores your rights in place of the Certificate of Restoration of Voting Rights form. For more information on a court order, see the “What are all these forms?” section after the next page.

Convictions between January 15, 1973 and May 17, 1981

You did not lose your right to vote. Simply register to vote by filling out a Voter Registration Form.

Convictions before January 15, 1973

Contact the City Attorney’s Office at (423) 643-8250 or visit restoremyrights.com.

★ Can I restore all my rights?

Voting restoration is a separate process from other rights. You may be eligible for an expungement or you may apply to have your full citizenship rights restored.

Expungements

The process of “sealing” your criminal record in the eyes of the law is called expungement. Most misdemeanors and **Class E felonies** are eligible. You may be eligible, if:

- Your offense was nonviolent, nonsexual, and non-DUI
- You were never convicted of any criminal offense (federal or in other states) other than the offense for which you seek expungement
- You have fulfilled all the requirements of your sentence, including probation or parole, and five years has elapsed since you completed it
- You never had a previous expungement

To apply, you must have:

- A completed **Expungement Application** (download it at restoremyrights.com) which will ask you to prepare other documents for court (like a photo ID)
- A statement from the agency supervising your release (such as a parole or probation officer) that you have met all conditions of your sentence
- A statement from the Court Clerk that you paid all your fines, restitutions, and court fees
- List of all the cities and states you lived in since the conviction

Mail or hand-deliver the documents listed on the Expungement Application to the District Attorney’s office (600 Market Street). If the DA decides that you have met all requirements, you’ll be contacted to file a Petition and Order of Expungement in person at court. If the DA decides against it, you can appeal to the Governor. At the time of this writing, there is a non-refundable fee which varies from \$280 to \$450 and a \$100 clerk’s fee to apply for expungement.

After you file and pay your fees, you will be contacted to have a hearing during which the judge will decide on your expungement. If your expungement is granted, it will take effect in 90 days.

Restoration of Full Citizenship

In order to run for public office, serve on a jury, or restore your right to a firearm, you must have your full citizenship rights restored. This process is separate from voting restoration and may require an attorney who specializes in this area of law.

The steps are:

- Prepare documents that demonstrate that you are trying to be an active and productive member of society (such as evidence of employment, enrollment in school, voting restoration, or letters of recommendation from civic or church leaders)
- Hire an attorney (this can cost over \$1000)
- The attorney will file a motion to petition for the restoration of your citizenship rights in court
- The court will verify your documents with the appropriate authorities
- If there is no dispute, there will be a hearing in which the judge decides on the case
- If there is a dispute, there will be a trial
- After the judge approves the restoration of your citizenship, your rights are immediately restored



Voting restoration is the process of legally getting back your right to vote.



Expungement is the process of “sealing” your criminal record in the eyes of the law.

Citizenship restoration is the process of restoring your right to run for public office, serve on a jury, or own a firearm.

★ What are all these forms?

Paperwork can be confusing, but knowing the right form for the job will help you meet your goal. This list explains what the forms are, where you get them, who must fill them out, and where you take them once they are completed.



Certificate of Restoration of Voting Rights Form

This form is your request to get back your right to vote. It must be completed on your behalf by a pardoning authority, such as a probation or parole officer, or an agent of the Federal, Criminal, or Circuit Court in the county where you reside. You can get this form at the **Election Commission**. You can also download and print it from **restoremyrights.com**. After it is filled out, you take it to the **Election Commission** in the county where you live. It takes several business days to process this form.



Court Order

This is a statement from the government saying that you have met the requirements for voting restoration (see "Am I eligible? Part 2"). You get a court order from the **Circuit Court** in the county where you reside. It is completed by an agent of the court. You take a certified copy of this court order to the **Election Commission** instead of a Certificate of Restoration of Voting Rights form. A court order may be useful to you if you are also applying for an expungement or if you are working with an attorney to restore your citizenship rights.



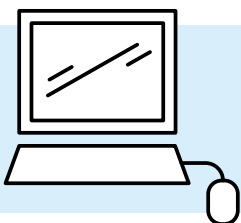
Expungement Application

This questionnaire is provided by the City Attorney as a service to those seeking an expungement. It helps you determine your eligibility and outlines what documents you need to make your case in court. You can download the application at **restoremyrights.com**. Hand-deliver or mail it along with all the required documents mentioned in this application to the District Attorney.



Voter Registration Form

This form registers you to vote in all local, state, and federal elections. You complete this form yourself. You can get a paper copy at the **Election Commission**, the County Clerk office, and often at public libraries. Or, you can download the form at **restoremyrights.com** and mail it to the **Election Commission**. You can also register to vote online at **proudvoter.org/restoremyrights**. It takes 30 days to process this form. To vote in the next election, make sure you turn in the form at least 30 days prior to election day.



Download these forms at **restoremyrights.com**.
Register to vote at **proudvoter.org/restoremyrights**.

★ Where can I get more help?

Here are some resources that may help you get back on your feet. These programs are specific to **Hamilton county**. Visit restoremyrights.com for more information.

Find a job

The **City of Chattanooga Office of Public Safety** holds regular **Job Fairs** for people re-entering society after prison. You can learn how to write a resume, dress for an interview, and meet potential employers. Find out about job fairs by calling the office at (423) 305-2707 or by checking the Facebook page: www.facebook.com/CityofChattanooga.

Chattanooga Endeavors' mission is to help people overcome the stigma of incarceration. This organization occasionally holds job fairs and information sessions. Learn more at chattanoogaendeavors.org.

The Justice Committee for the **Mayor's Council for Women** recently launched a **Mobile Career Coach** program in collaboration with the Tennessee Department of Labor and Workforce Development. The Career Coach Bus comes to Hamilton County on a quarterly basis to one of the Youth and Family Development Centers to help those seeking employment register online for a job. Learn more at www.jobs4tn.gov.

Find mental health services

The State of Tennessee's web site links to mental health services: www.tn.gov/behavioral-health.

The Helen Ross McNabb Center offers an array of social services in mental health and addiction recovery. Their Crisis Stabilization Unit provides non-hospitalized short-term treatment. The hotline number is (865) 541-6958.

Advocate for others

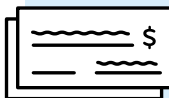
Even if you are not eligible to restore your right to vote, you can be part of change for others. You can volunteer for organizations that work towards criminal justice reform or advocate for people who were once in prison.

Find additional resources

Father to the Fatherless can provide court advocacy, job placement and training, and mentorship. Visit f2fchattanooga.org.

Hope for the Inner City is a faith-based organization that may help you with economic stability including finding and keeping a job, crisis intervention, and oral health. Visit www.hopefortheinnercity.org.

Legal Aid of East Tennessee provides low-income people with a broad scope of civil legal services. Learn more at www.laet.org.



Remember, you must have all your court fees paid and be up-to-date on your child support payments to get back your right to vote.

If you were convicted of a felony in Tennessee, you may have lost your right to vote. But, you may also be able to restore your rights.

Learn how with this guide.

Special thanks to these community partners:

City of Chattanooga

www.chattanooga.gov

City of Chattanooga

Mayor's Council for Women

[connect.chattanooga.gov/
councilforwomen](http://connect.chattanooga.gov/councilforwomen)

Hamilton County

Election Commission

700 River Terminal Road
Chattanooga, TN 37406
(423) 493-5100
elect.hamiltontn.gov

Hope for the Inner City

1800 Roanoke Ave
Chattanooga, TN 37406
(423) 698-3178
www.hopefortheinnercity.org

League of Women Voters

Chattanooga Chapter

lwwchattanooga.wordpress.com

Legal Aid of East Tennessee

535 Chestnut St., Ste. 360
Chattanooga, TN 37402
(423) 756-4013
www.laet.org

The Next Door

1080 Moccasin Bend
Chattanooga, TN 37405
(423) 933-0112
thenextdoor.org

Proud Voter

proudvoter.org

Restore My Rights

restoremyrights.com