

Step 3: Return your application by the voter registration deadlines.

You will need to register to vote at least 29 days before the election in which you wish to vote.

- July 14, 2008, is the last day to register to vote for the primary election.
- October 6, 2008, is the last day to register to vote for the general election.

If you are also requesting a mail-in ballot, be sure you note the deadlines for applying.

- August 5, 2008, is the last day to apply for a mail-in ballot for the primary election if the ballot is to be mailed.
- October 28, 2008, is the last day to apply for a mail-in ballot for the general election if the ballot is to be mailed.

Step 4: Vote.

Be sure to return the mail-in ballot by the deadlines. All mail-in ballots must be in the hands of your county's office of the Clerk and Recorder no later than 7:00 pm on election day. Remember, you may need several extra days for mail to be processed by the jail.

- August 12, 2008, is the date of the primary election.
- November 4, 2008, is the date of the general election.

IMPORTANT REMINDER!

Individuals serving a sentence in jail or prison for a felony offense or currently on parole are NOT eligible to register to vote or vote. Make sure you understand whether you are eligible to vote. It is a class five felony to vote in an election for which you are not legally eligible.

Other questions about voting from jail

What if I request a ballot but I am released before the ballot arrives?

You may contact your county's office of the Clerk and Recorder to request a replacement ballot. If you go to the polls to vote, you will be required to vote a provisional ballot because a mail-in ballot will have already been issued to you.

What if I register to vote while I am a pretrial detainee but my eligibility status changes due to a subsequent felony conviction?

If you become ineligible to vote due to a change in your status, do not vote. Any person voting in an election knowing that s/he is not entitled to vote commits a class five felony.

What should I list as my legal address if I was homeless before I was incarcerated?

If you were homeless, you may identify a specific location within a precinct that you consider your home base as your legal street address. Examples include a homeless shelter, a homeless provider, a business address, or any other physical location to which you regularly return and from which you can receive messages.

And finally, don't forget to update your voter registration after you're released from jail. The jail address will continue to be your mailing address until you update your contact information.

This brochure was prepared by:



1212 Mariposa Street
Suite 6
Denver, CO 80204
303-825-0122
fax 303-825-0304
info@ccjrc.org

If you have questions about voting, please contact us. Be sure to carefully read everything in this brochure before you register to vote or vote.

ccjrc.org

Many people in Colorado believe that once you have a criminal record you can never vote. **This is not true.**

Who is eligible to vote in Colorado?

- People with a criminal conviction who have served their sentence, including parole if required
- Pretrial detainees in jail
- People currently in jail serving a misdemeanor sentence only
- People currently on probation for either a misdemeanor or felony

OTHER QUESTIONS ABOUT CRIMINAL CONVICTIONS AND VOTING ELIGIBILITY

I have a criminal conviction in my past. Can I vote? In Colorado, you have the right to vote after you have served your sentence. Remember, if you were incarcerated for a felony, any period of parole is considered to be part of your sentence. The day you complete your sentence is the day you become eligible to register and vote.

Will I be notified when I'm eligible to vote?

No. The right to vote is automatically restored, but you will not be notified.

Do I have to prove I have completed my sentence (including parole) in order to register to vote or to vote?

The voting official may ask for proof that you have completed your sentence, including any parole. It's a good idea to bring your sentence or parole discharge document with you when you register to vote.

What if I was convicted for a crime in another state?

Election law varies from state to state, and your right to vote is determined by the state in which you live. If you are a resident of Colorado and if you have completed your sentence, including parole, you can vote.

If I was convicted of a federal crime, do I have the right to vote in a federal election? It does not matter if you were convicted in a state or federal court. Once you are eligible to vote in Colorado, you are eligible to vote in both state and federal elections.

Do I have to pay off all of my restitution before I can vote? No. Payment of restitution is not a condition of voting eligibility.

Do I have the right to vote if I am on bond and the criminal case is pending? Yes. You are eligible to vote if you are on bond as long as you are not convicted and serving a sentence in jail or prison for a felony at the time of the election.

CAN I VOTE FROM JAIL ?

Many people incarcerated in jail in Colorado believe they are not eligible to vote. **This is not always true.**

Who is eligible to vote from jail in Colorado?

- People currently in jail who are pretrial detainees
- People currently in jail serving a misdemeanor sentence only

Who is NOT eligible to vote in Colorado?

- People who have already been convicted of a felony and have not yet completed the sentence for that felony, including parole

Step 1: Decide whether you are eligible.

I am... (must be able to check one)

- a pretrial detainee awaiting trial on charges for a felony or misdemeanor.*
OR
- serving a sentence in jail for a conviction of a misdemeanor only.

AND... (must be able to check all three)

- I will be 18 years of age or older at the time of the next election (November 4, 2008).
AND
- I am a citizen of the United States.
AND
- I was a resident of Colorado for at least 30 days prior to the date of my incarceration.

**If you are a pretrial detainee, an institutional administrator must certify your eligibility. This means jail personnel must provide a letter certifying your status as a pretrial detainee. This letter must be dated and signed by the administrator.*

What is the law in Colorado?

No person while serving a sentence of detention or confinement in a correctional facility, jail, or other location for a felony conviction or while serving a sentence of parole shall be eligible to register to vote or to vote in any election; however, a confined prisoner who is awaiting trial but has not been tried shall be certified by the institutional administrator and shall be permitted to register to vote by mail registration pursuant to part 5 of this article.

Colorado Revised Statutes § 1-2-103(4)

Step 2: Register to vote (or re-register to vote) and request a mail-in (absentee) ballot.

If you want to register to vote for the first time, you need to fill out a *Colorado–Combination Voter Registration and Mail-in Ballot Application*.

If you were registered to vote before you were incarcerated in the jail, you will need to submit an

updated *Colorado–Combination Voter Registration and Mail-in Ballot Application*. You can use this application to update your mailing address and request a mail-in ballot.

You may also update your voter registration by writing a letter to the Clerk and Recorder for the county where you lived prior to your incarceration. See the paragraph at the bottom of this page for the information you need to include in your letter.

You may access the *Colorado–Combination Voter Registration and Mail-in Ballot Application* one of the following ways:

- Write the Clerk and Recorder for the county of your residence and request the application. (The term *residence* means the principal or primary home of a person. A residence is a permanent building or part of a building and may include a house, apartment, condominium, room in a house, or mobile home.)
- Write the Elections Division of the Secretary of State and request the application. Their address is Colorado Department of State, Elections Division, 1700 Broadway, Suite 270, Denver, CO 80290. The Elections Division can also send you the address for your county's Clerk and Recorder.
- Some jails have copies of the application form. If this is the case for the jail where you're incarcerated, you can request one from jail personnel.
- The application may also be downloaded from the Secretary of State's website at www.sos.state.co.us. English and Spanish versions are available.

Whether you submit a *Colorado–Combination Voter Registration and Mail-in Ballot Application* or write a letter to your county's Clerk and Recorder, under Colorado law your mail-in ballot application must contain your printed name, signature, residence address, mailing address* if you wish to receive the ballot by mail, and date of birth. If you do not provide all of this information, you may not receive a mail-in ballot according to the rules established by the Secretary of State.

**The mailing address is the address for the jail where you're incarcerated. Be sure to include your offender number with the address.*

How to fill out the application

After you receive the application, fill it out in black ink. (Jail personnel should arrange a time/place for you to borrow a black pen.)

- *Colorado Legal Residence Street Address* is the physical street address you had prior to your incarceration. Do not use a post office box.
- *Mailing Address* is the jail's mailing address. The jail's mailing address should include the facility's name, address, city, CO, and zip code. You also need to include your offender number.
- A telephone number is not required. If you do not have one, leave it blank.
- If you know you will still be in jail through November 4th and want to vote, you will need to request an mail-in (absentee) ballot. Check the box on the form to add your name to the permanent mail-in ballot list. If you do not check this box, the clerk will not know to send you a mail-in ballot.
- The *Colorado–Combination Voter Registration and Mail-in Ballot Application* requires that you provide a valid Colorado driver's license number or a valid Department of Revenue ID number (state ID) or at least the last four digits of your Social Security number. (If you do not have a Colorado driver's license or Colorado Dept. of Revenue ID number, you can check the box that says you do not have one, but do not check this box if you have either of these IDs. If you know your Social Security number, list at least the last four digits of your number, but do not check the box indicating you don't have a Social Security number if you have one.)

You may need to provide identification when you register by mail. If you are submitting an application to register to vote for the first time, or if you are sending in a ballot and you have not yet submitted an acceptable form of identification to your county's office of the Clerk and Recorder, you will need to provide a copy of an identification document from the following list.

When a copy of one of the following acceptable forms of identification is required and is not submitted with your voter registration application

or returned with your mail-in ballot, you may not be registered to vote.

Acceptable Forms of Identification

- Current and valid Colorado driver's license
- Valid Department of Revenue identification card (state ID)
- Valid U.S. passport
- Valid employee identification card with your photograph issued by any branch, department, agency, or entity of the U.S. government or of this state, or by any county, municipality, board, authority, or other political subdivision of Colorado
- Valid pilot's license issued by the Federal Aviation Administration or other authorized agency of the U.S.
- Valid U.S. military identification card with your photograph
- Copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows your name and legal residential address (A cable bill, a telephone bill, documentation from a public institution of higher education in Colorado containing at least your name, date of birth, and legal residence address, a paycheck from a government institution, or a Certificate of Degree of Indian or Native Blood are sufficient forms of identification.)
- Valid Medicare or Medicaid card issued by the United States Health Care Financing Administration
- Certified copy of a U.S. birth certificate issued in the U.S., or certified document of naturalization
- Valid student identification card with your photograph issued by an institute of higher education in Colorado

If your identification document is in your personal belongings at the jail, a request can be made to jail personnel to make a photocopy.

If you have access to a valid form of photo identification through a family member or friend, you can ask them to make a photocopy and mail it to you at the jail. Make sure the copy of any photo ID, such as your driver's license, clearly shows your picture. A dark copy of your photo ID may make it impossible to visually verify your identification.