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[ccjrc.org](http://ccjrc.org)

Colorado Criminal Justice Reform Coalition (CCJRC) works to reverse the trend of mass incarceration in Colorado. Educating people with a criminal record about their right to vote is part of this work.

If you think you are eligible to vote and are told you may not by an election clerk, please contact the Secretary of State's office for help. Their telephone number is 303-894-2200. You may also contact CCJRC for assistance.

[ccjrc.org](http://ccjrc.org)

## Deadlines

Be sure you register to vote at least 29 days before the election in which you want to vote! Here are the election calendar dates for 2010.

- **July 12, 2010:** last day to register to vote for the Primary Election
- **August 3, 2010:** last day to apply for a mail-in ballot for the Primary Election if the ballot is to be mailed
- **August 10, 2010:** Primary Election (all mail-in ballots must be in the hands of the county clerk no later than 7:00 pm on election day)
- **October 4, 2010:** last day to register to vote for the General Election
- **October 26, 2010:** last day to apply for a mail-in ballot for the General Election if mailed
- **October 29, 2010:** last day to apply for a mail-in ballot for the General Election if picked up at the county clerk's office.
- **November 2, 2010:** General Election 7:00 am to 7:00 pm

## Your vote is your voice on the issues

- Health care
- Economic justice
- Racial justice
- Criminal justice
- Environment
- Children
- Education
- Any other issue important to you



**Tell a friend! Even if you're not eligible to vote, encourage your friends and family members to vote.**

## Important definitions:

**Parole** is a period of supervision after release from prison. In Colorado, parole is considered a part of the sentence. People on parole are ineligible to register to vote and vote.

**Probation** is a sentence ordered by a judge and usually an alternative to prison. A sentence of probation allows a person to remain in the community under the supervision of a probation officer. It is legal to register to vote and cast a vote while under a sentence of probation.

**Felony** is a more serious crime than a misdemeanor and commonly punished in the U.S. by imprisonment in a prison for more than a year.

**Misdemeanor** is a criminal offense defined as less serious than a felony. The punishment includes a range of sanctions, including probation, fines, and time in jail.

**Prisons** are operated by the state and used to confine those convicted of one or more felony charges. People confined in prison are not eligible to vote.

**Jails** are operated by county sheriffs and used to confine those awaiting trial, as well as a place to confine those convicted of a misdemeanor. Some people confined in jail are eligible to vote.

## Colorado Criminal Justice Reform Coalition

# CAN I VOTE



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 on probation for either a misdemeanor or felony
- People currently in jail serving a misdemeanor sentence only

## FREQUENTLY ASKED QUESTIONS

The following questions and answers may help you understand more about your right to vote in Colorado.

### How do I register to vote?

The easiest way to register is at [govotecolorado.com](http://govotecolorado.com). This website will let you register online or download a voter registration form. You may also check the status of your registration at this website.

You may also register to vote at:

- Colorado Department of State, Elections Division, 1700 Broadway, Suite 200, Denver, CO 80290
- your county's clerk and recorder's office (see [elections.colorado.gov](http://elections.colorado.gov) for contact info)
- Division of Motor Vehicle offices
- any government office that provides public assistance, like a social services office

In order to vote in the next election, you need to register to vote at least 30 days prior to the next election with the clerk and recorder's office in the county where you live or with the Secretary of State's office.

### What kind of identification document is required?

A valid Colorado driver's license and state ID card issued by the Colorado Department of Revenue are both accepted, as are a number of other documents. To see the complete list, go online to [govotecolorado.com](http://govotecolorado.com) or talk to your county clerk and recorder office.

### How do I vote?

Elections in Colorado can be held by mail or in person at voting locations. Every election may be different so be sure

to read any election notices you receive or visit the Colorado Secretary of State at [govotecolorado.com](http://govotecolorado.com) or your local county clerk for more information.

### I recently completed my parole. Do I have to prove I have served my sentence and parole in order to register to vote or to vote?

In Colorado, you're eligible to register to vote the day you're released from parole. However, if your name still appears on the database as being under the supervision of the Department of Corrections, the voting official may ask you for proof that you have completed parole. If you register to vote soon after completing your sentence, it's a good idea to bring your parole discharge documentation with you when you register to vote.

If you were a registered voter before you were incarcerated, your registration was cancelled and you must re-register to vote.

### If I was convicted of a federal crime, do I have the right to vote in a federal election?

It doesn't matter if you were convicted in a state or federal court. Once you're eligible to vote in Colorado, you're eligible to vote in both state and federal elections.

### Do I have to pay off all my restitution before I can vote?

No. Payment of restitution is not a condition of voting eligibility.

### Is it a crime to vote in an election before I'm legally eligible to vote?

Yes. As of July 2006, it is a class 5 felony to register to vote or to vote in an election for which you are not eligible to vote (Colorado Revised Statute §1-13-704.5).

The laws about disenfranchisement (denial of the right to vote) vary from state to state. That's one of the reasons why so many people with a criminal record are confused about their voting rights.

Your right to vote is determined by the state in which you live. If you're a resident of Colorado and you have completed your sentence of incarceration for a felony conviction (including parole) you can vote regardless of where you were convicted. This right is automatically restored. People on probation and pretrial detainees are also eligible to vote.

Voting is one of the best ways to reclaim your civic voice and an important part of re-entering society. Voting is also the responsibility of every citizen in a democracy. We are a stronger country when people vote.

## 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)

## Who can and cannot vote in Colorado?

People who may register to vote and vote include those who:

- are on probation for either a misdemeanor or felony
- are a pretrial detainee awaiting trial, whether in jail or on bond
- are currently serving a jail sentence for a misdemeanor sentence only
- have completed serving their sentence for a felony conviction, including any sentence of parole

People who may not register to vote or vote include those who are:

- incarcerated for a felony in a jail or prison
- on parole or federal probation following release from incarceration
- transition clients in a community corrections facility on inmate status
- residential diversion clients sentenced for a felony to a community corrections facility

The law is not specific enough to include all of the sentencing scenarios that currently exist, which has created several gray areas regarding voting eligibility.

CCJRC is working to clarify these areas, but at this time we recommended that anyone in the following situation consult with an election official before registering to vote:

- home detention as part of a sentence for a felony conviction
- diversion client in a community corrections facility who is on nonresidential status
- in jail awaiting a revocation hearing for a probation violation

Just as everything else seems to change, elections in Colorado are also changing. In many counties, more and more elections are being conducted using mail-in ballots instead of walk-in precincts and vote centers. This is because it's less expensive to cast votes through the mail and many voters indicate they prefer to vote by mail.

## MORE INFORMATION ABOUT VOTING

In order to be eligible to vote, you must also

- be 18 years of age on or before the date of the election in which you want to vote AND
- be a citizen of the United States AND
- live in Colorado at your present address at least 30 days prior to the election

## IMPORTANT!

**Be sure you understand whether you are eligible to vote. It is a class-five felony to register to vote or vote in an election for which you are not legally eligible.**