

CRIMINALIZATION OF VOTING

Fighting Voter Suppression Through
Vigorous Defense

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Democracy's Turnstile



A. So if the Supervisor of Elections reviews the form and it's complete on its face, and then the social security number and driver's license number are verified, that person gets registered.

Within 24 hours of that process, voter registration -- any new registration or any update to an existing registration is cross-checked daily against FDLE records in case there are any new felonies that may come online or any changes to felonies that come online that may trigger an automated data match.

Q. Okay. So once there's a felon match through these automated databases, what happens next?

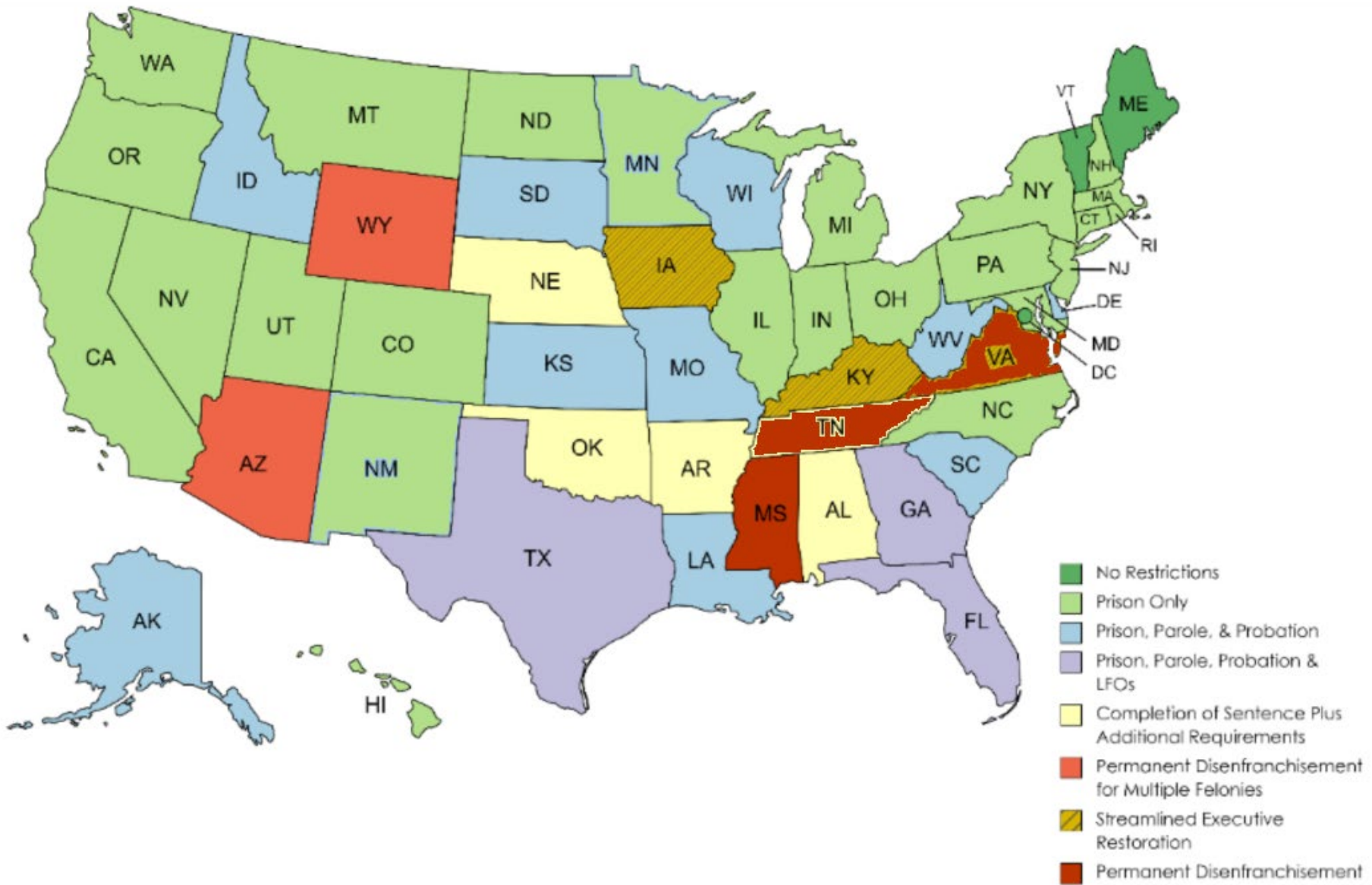
A. So based on that -- that's just the starting point. And what happens is we -- this is where the Bureau of Voter Registration Services kicks in. We do the manual review.

The dissenters insist that the law is vague because some felons will not be certain about their eligibility, and a “wrong guess ... results in severe consequences,” possibly including “an arrest for a voting violation.” Jordan Dissent at 1098 (internal ***1048** quotation marks omitted). Never mind the fact that no felon who honestly believes he has completed the terms of his sentence commits a crime by registering and voting, see [Fla. Stat. §§ 104.011\(2\), 104.15](#) (establishing scienter requirements for voting violations), and that at least 85,000 felons felt the law was clear enough for them to go ahead and register. The dissenters’ vagueness argument strains credulity.

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**DISENFRACTISEMENT
AND
REENFRANCHISEMENT
LAWS CAN BE VARIED,
CONFUSING, AND
FLUCTUATING**



**FELONY
DISENFRANCHISEMENT LAWS
ARE AMBIGUOUS AND
ELECTION OFFICIALS
FREQUENTLY MAKE MISTAKES**



BE ATTENTIVE TO THE OATH AND INSTRUCTIONS ON THE REGISTRATION FORM



Florida Voter Registration Application

Part 2 – Form (DS-DE #39, R1S-2.040, F.A.C.)(eff. 10/2013)

The download
registertovoteflorida.com

This is: New Registration Record Update/Change (e.g., Address, Party Affiliation, Name, Signature)

1	Are you a citizen of the United States of America?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	OF					
2	<input type="checkbox"/> I affirm that I am not a convicted felon, or if I am, my right to vote has been restored.								
3	<input type="checkbox"/> I affirm that I have not been adjudicated mentally incapacitated with respect to voting or, if I have, my right to vote has been restored.								
4	Date of Birth (MM-DD-YYYY)	<input type="text"/>	-	<input type="text"/>	-	<input type="text"/>	-	<input type="text"/>	FV
5	Florida Driver License (FL DL) or Florida identification (FL ID) Card Number								If r DL ID, pr
	<input type="text"/>	-	<input type="text"/>	-	<input type="text"/>	-	<input type="text"/>	-	<input type="text"/>
6	Last Name				First Name				I



Florida Voter Registration Application Part 1 – Instructions (DS-DE 39, R1S-2.040, F.A.C.)

To Register in Florida, you must be:

- a U.S. citizen,
- a Florida resident,
- at least 18 years old (you may pre-register at 16 or 17, but cannot vote until you are 18).

If you have been convicted of a felony, or if a court has found you to be mentally incapacitated as to your right to vote, you cannot register until your right to vote is restored.

Read and Sign below

Voter Declaration: I do swear (or affirm), subject to penalty of law for false statements, that the information contained in this form is true and that I am a citizen of the United States and a resident of the State of Utah, residing at the above address. Unless I have indicated above that I am preregistering to vote in a later election, I will be at least 18 years of age and will have resided in Utah for 30 days immediately before the election. I am not a convicted felon currently incarcerated for commission of a felony.

Citizenship Affidavit: I hereby swear and affirm, under penalties for voting fraud set forth below in Utah Code Section 20A-2-401, that I am a citizen and that to the best of my knowledge and belief the information above is true and correct.

YOU CANNOT REGISTER TO VOTE IN ARIZONA IF:

- You have been found mentally **incapacitated** by a court and your voting rights were not preserved; or
- You have been convicted of a **felony** and have not had your civil rights restored. Civil rights are automatically restored if you have only one felony conviction, completed your sentence, parole, or probation, and paid any victim restitution.

You can register to vote if you have only misdemeanor convictions or you are in pretrial detention and are otherwise eligible.

CLC

ADVANCING
DEMOCRACY
THROUGH LAW

**MOST VOTING AND
REGISTRATION CRIMES
REQUIRE SPECIFIC
KNOWLEDGE OF INELIGIBILITY**



**PROSECUTORS MAY BE
RUSHING THESE CASES
BECAUSE OF POLITICAL
PRESSURE, LEADING TO
FUNDAMENTAL ERRORS**

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ADVANCING
DEMOCRACY
THROUGH LAW



Division of Elections
Secretary of State Tre Hargett



State of Tennessee
312 Rose L. Parks Avenue, 7th Floor
Nashville, Tennessee 37243
615-741-7956

CERTIFICATE OF RESTORATION OF VOTING RIGHTS
for Persons Convicted of a Felony on or after May 18, 1981

This includes any federal or state felony conviction both within Tennessee or from another state.

SEP 03 2019

ORIGINAL DOCUMENT
PHOTOCOPY CANNOT BE

ACCEPTED TCA 2-5-192

TO BE COMPLETED BY AN AGENT OF THE PARDONING AUTHORITY, AN AGENT OR OFFICER OF THE INCARCERATING AUTHORITY, OR A PROBATION/PAROLE OFFICER OR AGENT OF THE SUPERVISING AUTHORITY. A SEPARATE FORM MUST BE COMPLETED FOR EACH FELONY CONVICTION WITH A DIFFERENT DOCKET/CASE NUMBER. THE PERSON CONVICTED OF THE FELONY OFFENSE MAY NOT COMPLETE THIS FORM.

1. I hereby certify that the following information is true and correct:

a. Applicant's Name: PAMELA JEANINE MOSES
(First) (Middle) (Last)
b. Applicant's County of Residence: SHELBY c. Applicant's Phone Number: 901-430-0477
d. Felony Conviction: TAMPERING WITH EVIDENCE, PERJURY
e. Month/Day/Year of Conviction: 4-29-2015 f. TOMIS ID: (If applicable) 320414
g. Date of Birth: 4611 h. Soc. Sec. No.: XXX-XX-4611

2. On the 7th day of February, 2019 (check one)

- The above individual received a pardon which contained no special conditions pertaining to the right of suffrage. A copy of said pardon is attached hereto; or
- The maximum sentence imposed for such infamous crime has been served by the above individual; or
- The maximum sentence imposed for such infamous crime has expired; or
- The above individual has been granted final release from incarceration or supervision from either the United States Probation/Parole, a state Board of Probation/Parole, the Department of Correction, or county correction authorities.

Signature: [Signature] Date: 9/3/19
Printed Name: L. Stillington Title: PPH
Address: 2584 Overton Crossing St 3827 Phone Number: 901-354-3736

3. I hereby certify that the following is true and correct: (check one)

- The court did not order the above individual to pay any restitution as part of his or her sentence; or
- All of the restitution ordered by the court as a part of the sentence for the above individual has been paid; or
- Restitution ordered by the court is owed.

Signature: Adriene Burre Date: 9-3-19
Printed Name: Adriene Burre Title: Principal Court Clerk
Address: 201 Poplar Ave Phone Number: 901-222-8200

4. I hereby certify that the following is true and correct: (check one)

- The court did not order the above individual to pay any court cost as part of his or her sentence; or
- All court cost assessed against the above individual has been paid; or
- For Federal Convictions Only, 18 U.S.C. § 3613(b) applies in this case and therefore the liability to pay has expired; or
- The court has made a finding at an evidentiary hearing that the above individual is indigent at the time of application; or
- Court costs ordered by the court are owed.

Signature: Adriene Burre Date: 9-3-19
Printed Name: Adriene Burre Title: Principal Court Clerk
Address: 201 Poplar Ave Phone Number: 901-222-8200

MEDIA ATTENTION CAN BE A DOUBLE-EDGED SWORD

From: Joe S. Williams <[REDACTED]>
Sent: Thursday, September 5, 2019 12:40 PM
To: Lisa Helton [REDACTED]
Cc: Christopher M. Hill [REDACTED]
Subject: Pamela Moses

On September 4, 2019 a meeting was held with Manager Billington regarding a Voters Restoration Form he signed on September 3, 2019 for Pamela Moses. During the course of the meeting the following was discussed:

1. The circumstance of the request: Manager Billington stated that Pamela Moses reported to the Office with the document requesting a signature. He stated that she remained in the lobby waiting on document to be signed. He stated that she remained in lobby for about an hour and was acting impatient. He stated that his investigation lasted approximately one hour.
2. Investigation: Manager Billington stated that he reviewed contact notes as well as some Odyssey documents. He stated that he reviewed the judgement orders revoking her probation 2/25/2016. He then stated he read the February 25, 2016 contact note entered by Court Specialist, Natasha Townsell, that read probation was revoked and offender placed on supervision for two years. When asked why he thought probation had expired even though she was still in unsupervised status, Manager Billington stated that he just assumed that the officer failed to close out case. Manager Billington advised that he thought he did due diligence in making his decision. Manager Billington was advised that he did not do his due diligence and that the information he used to make determination was not sufficient.

Finding: Manager Billington failed to adequately investigate the status of this case. He failed to review all of the official documents available through the Shelby County Justice portal and negligently relied on a contact note from a court specialist in 2016. Had Manager Billington thoroughly investigated he would have found that an additional probation order dated March 4th, 2019 was executed following that revocation spelling out the new terms of the probation as well as an order filed June 13^h 2019 advising Pamela Moses that she remained on supervision until August 13, 2020.

While it was tedious to find some of the above mentioned reports- some was just now located today. The information that Manager Billington had at the time he signed the Voters Restoration was insufficient to reasonably affirm that an offender was off supervision.

**THERE IS A GROWING NEED
FOR MORE SKILLED
DEFENDERS TO GET INVOLVED**

