

# **RESTORATION OF CITIZENSHIP RIGHTS FREQUENTLY ASKED QUESTIONS**

**Who is ineligible to vote because of a prior conviction?** Under Iowa law, anyone convicted of a felony or aggravated misdemeanor loses the right to vote and hold public office.

**What is a restoration of citizenship rights?** It refers to a form of clemency whereby the Governor of Iowa restores an offender's right to vote and hold public office that was forfeited by reason of a conviction of felony or aggravated misdemeanor.

**What if my conviction was for a federal crime?** If you have been convicted of a federal felony, you are not eligible to vote in Iowa unless you have had your citizenship rights restored. Although the Governor of Iowa cannot grant a full pardon for a federal crime, the Governor can restore your right to vote and hold public office within Iowa.

**What if I was convicted in another state?** If you have been convicted of a felony in another state, you are not eligible to vote in Iowa unless you have had your citizenship rights restored. Although the Governor of Iowa cannot grant a full pardon for a crime committed in another state, the Governor can restore your right to vote and hold public office within Iowa.

**What is the process for seeking to have my citizenship rights restored?** Executive Order 42 grants a blanket restoration of citizenship rights for all offenders that completely discharged their sentences, including any term of probation, parole, or supervised release as of July 4, 2005. After July 4, 2005, the Department of Corrections will forward to the Governor each month a record of offenders that have discharged their sentences, including any accompanying term of probation, parole, or supervised release. The Governor will consider without undue delay these individuals for a restoration of citizenship rights. If granted, a restoration of citizenship certificate will be issued to the offender's last known address.

**Do I need to submit an application to be considered for a restoration of citizenship rights?** If you have completely discharged your sentence by July 4, 2005, including any accompanying term of probation, parole, or supervised release, you are covered by the blanket restoration of citizenship rights portion of Executive Order 42, and there is no need for you to file an application with the Governor's office. For offenders that will completely discharge their sentences after July 4, 2005, a record of their names will automatically be sent each month to the Governor, who will determine whether restoration is warranted. Offenders may still file an application for a restoration of citizenship rights to the Governor at any time after a conviction.

**If have already submitted an application to the Governor for restoration of citizenship rights, what do I do now? Will my application be processed?** Executive Order 42 does not apply to individuals that have an application pending before the Governor. Those applications will be processed according to the procedures set forth in Chapter 914 of the Code of Iowa.

**If I discharged my sentence before July 4, 2005, how do I provide proof of restoration of citizenship rights?** Offenders who have discharged their sentences before July 4, 2005, will not receive a separate restoration of citizenship certificate after the executive order is signed.

Instead, the executive order itself will serve as evidence of restoration of citizenship rights for such offenders. A copy of the executive order will be available by contacting the Governor and Lt. Governor's office or by visiting their website (<http://www.governor.state.ia.us/>).

**Does a restoration of citizenship restore my right to possess a firearm?** No, the executive order will not include any rights with respect to receipt, transportation, or possession of firearms as provided by federal law or Chapter 724 of the Code of Iowa. If you wish to restore your firearm rights, you will need to obtain and submit an application for firearm restoration to the Governor's office.

**Is a restoration of citizenship rights the same as a pardon?** No, the executive order, and all future restorations of citizenship rights, will not be considered a pardon or as a remission of guilt or forgiveness of the offense and will not operate as a bar to greater penalties for second offenses or a subsequent conviction as a habitual criminal. If you wish to seek a pardon, you will need to obtain and submit an application to the Governor's office.

**Does a restoration of citizenship rights affect my financial obligations arising from my conviction?** No, a restoration of citizenship rights will not relieve an offender of any unpaid restitution, fine, or other financial obligation resulting from a conviction.

**If I have my citizenship rights restored, do I need to re-register to vote?** Yes. Please contact your County Auditor or the Iowa Secretary of State's office for voter registration forms. You may reach the Secretary of State via telephone at 515/281-8993.

**How do I get a duplicate restoration of citizenship rights certificate?** A duplicate may be obtained from the Governor's office.

**What happens if an individual re-offends?** If an offender is convicted of a felony or aggravated misdemeanor after having their citizenship rights restored, they again lose the right to vote and hold public office.

**How long will it take to receive a restoration certificate after I complete my sentence?** Under Executive Order 42, individuals can expect notification with 60-90 days after they completely discharge their sentence. If you choose to file an application, the processing time is approximately 4-6 months.

**What if I still have questions about restoration of citizenship rights?** Please visit the Governor and Lt. Governor's office website (<http://www.governor.state.ia.us/>) or contact the office by phone at 515/281-3502.