

INSTRUCTIONS FOR RESTORATION OF CITIZENSHIP RIGHTS (Right to Vote and Hold Public Office)

PLEASE READ CAREFULLY

Loss of Citizenship Rights

All persons convicted of an aggravated misdemeanor or a felony, have lost their citizenship rights including the right to vote and hold public office. After conviction and sentencing, all persons who are United States citizens may apply to the Governor for restoration of citizenship rights.

Executive Order Number Forty-Two

Executive Order Forty-Two restores the right to vote and hold public office to all persons completely discharged from criminal sentence, including any term of probation, parole, or supervised release as of July 4, 2005. The executive order also establishes a process whereby consideration for a restoration of citizenship rights will be given automatically to each offender upon complete discharge criminal sentence, including any term of probation, parole, or supervised release. Notwithstanding Executive Order Forty-Two, all persons may apply to the Governor for a restoration of citizenship rights. *See next page for the list of frequently asked questions concerning Executive Order Forty-Two.*

Process

Should you choose to make application to the Governor, it will be sent to the Board of Parole, which will issue a recommendation. The processing time for this application is approximately 4-6 months, depending on volume, from the time we receive your completed application and required documentation. *You must sign the release on the back of application for your application to be processed.*

Required Documentation

You must attach one of the following to your application:

- > *Client Progress Report* from your parole or probation officer.
- > *Receipt from the Clerk of Court* in the county of your conviction verifying the progress made toward payment of fines, court costs, and court ordered restitution.

PLEASE NOTE: It is not necessary that all court ordered fines, fees, restitution, attorney fees, civil assessments and penalties be paid before this application is submitted to the Governor's Office. However, the Board of Parole may consider the applicant's progress toward satisfying all payments ordered by the court before making its recommendation to the Governor.

Mailing Address Please mail your completed application and documentation to:

Gary Dickey Jr.
General Counsel
Governor's Office
State Capitol Building
Des Moines, Iowa 50319
515/281-5211

RESTORATION OF CITIZENSHIP RIGHTS FREQUENTLY ASKED QUESTIONS

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 I 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.

RELEASE

**YOU MUST SIGN AND DATE THIS RELEASE FORM OR YOUR APPLICATION
WILL NOT BE PROCESSED**

I, _____, the undersigned applicant for executive clemency to the Governor of the State of Iowa, do hereby authorize any and all persons, firms or corporations, to release any and all information or documents they may now have or hereinafter receive concerning me.

I authorize the release of said information to the Governor of the State of Iowa, his designee or agent. In granting this release, it is my understanding that the information or documents obtained will be used for the sole consideration of my application for executive clemency.

I further forever hold blameless those persons, firms, corporations and the Governor's Office, who by virtue of this consent may release information as requested.

A photocopy of this release form will be valid as an original, even though said photocopy does not contain an original writing of my signature.

I have read fully and understand the contents of this application and the authorization for release of personal information.

Signature of Applicant

Print Name of Applicant

Date of Application:
