

**YOU HAVE THE RIGHT
TO VOTE IN
WEST VIRGINIA
ONCE YOU COMPLETE
YOUR SENTENCE**

What You Need to Know:

**Felon Voting Rights
in West Virginia**



West Virginia Secretary of State Office
State Capitol Building 157-K
Charleston, WV 25305

Voting rights of convicted felons

Persons Under Conviction of a Felony:

- Once a citizen is under conviction of a felony, treason or bribery in an election, the county clerk shall cancel his or her voter registration following receipt of official notice of the conviction from a state or federal court.
- Following the conviction of a felony, treason, or bribery in an election, the felon is not permitted to vote until the sentence is complete, which includes being "off papers" for any period of parole or probation.
- "Under conviction" is determined at the time of adjudication by a judge or jury, or plea of guilt or no contest by the offender.
- "Off papers" refers to when a person is no longer subject to any conditions or restrictions as part of their parole or probation.

Persons in Jail for Non-Felony Conviction:

- "A person in jail for a misdemeanor conviction may apply for an absentee ballot by mail or vote in person (if circumstances permit)
- Jails must take steps to facilitate prisoners' rights to vote, but which steps are not clearly defined.

Restoring the Right to Vote After Felony Conviction is Served:

- Once a citizen's voter registration is canceled following conviction of a felony, treason or bribery in an election, the felon regains the right to vote after completion of the sentence, however, the citizen's registration is not automatically renewed. The citizen must re-register to vote after the sentence is completed and the citizen is "off papers" following any period of probation or parole.

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Running for Office, Serving on a Jury, and Serving Process Following Felony Conviction:

- A citizen convicted of a felony, other than bribery, can run for any office (excluding the State Legislature and Magistrate) following the completion of the sentence.
- A citizen convicted of a felony cannot serve on a jury, even when the sentence has been completed.
- A citizen convicted of a felony may serve process (give appropriate notice of legal action) after completing his or her sentence.

Who Can Register to Vote?

To qualify for eligibility, individuals must be:

- A United States citizen;
- At least 17 years of age and at least 18 on or before the next General Election;
- A West Virginia resident and a resident of the county where he or she is applying to register; and
- Not currently incarcerated, on parole or probation for a conviction of (1) a felony, (2) treason, (3) bribery in an election.

Re-Registration Following Completion of Felony Sentence

- A person may re-register to vote once he or she is no longer incarcerated, on parole or probation (i.e. "off papers") following conviction of a felony, treason, or bribery in an election.

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How to Register.

- **Online** at www.GoVoteWV.com. A person must provide a West Virginia driver's license or ID card number to register online. Those without one of these numbers may register by mail or in person.
- **In person** at the County Clerk's Office, Secretary of State's Office, DMV, DHHR, WIC, public assistance offices, and military recruiting posts.
- **By mail** by paper application. A paper application may be downloaded at www.GoVoteWV.com or requested from the County Clerk or Secretary of State. Once completed, it must be mailed to the County Clerk in one's county of residence.

Voter Registration ID Requirements

An individual registering for the first time in West Virginia or in his or her county may be required to present a current and valid ID with his or her application or the first time he or she votes. If the application is mailed, a copy of a valid ID may be included. Any of the following documents that show his or her current name and address are accepted:

- Valid photo identification;
- Utility bill;
- Bank statement;
- Government check;
- Paycheck; or
- Any other official government document.

Voter Registration Deadlines

- **Online:** no later than the end of the day on the 21st day before the election.
- **In person:** no later than the end of the day on the 21st day before the election.
- **By mail:** the postmark must be dated on or before the 21st day before the election.

ID Requirements for Voting

Voters must show a form of identification to vote in person during Early Voting or Election Day. All forms of ID must be valid and not expired.

Acceptable forms of non-photo identification:

- Voter registration card
- Medicare card or Social Security card
- Birth certificate
- WV hunting or fishing license
- WV SNAP ID card
- WV TANF program ID card
- WV Medicaid ID card
- Bank or debit card
- Utility bill or bank statement issued within six months of the date of the election
- Health insurance card issued to the voter
- Any document issued by the WV or US government that displays the voter's name

Acceptable forms of photo identification:

- Any document issued by the state of WV or U.S. government containing voter's name, including a WV driver's license, passport, U.S. or WV government employee ID or military ID
- Driver's license issued by another state
- Student ID card
- A concealed carry (pistol/revolver) permit

Exceptions to the new voter ID requirement:

- An adult who has known the voter 6 or more months signs an affidavit at the polling place confirming the voter's identity;
- A poll worker knows the voter for at least 6 months; or
- The voter is a resident of a state care facility.

If a voter cannot obtain any form of ID, he or she may request a free Voter ID from his or her County Clerk. If a voter shows up to vote without an ID and does not fall under an exemption, he or she should vote a provisional ballot.

This informational brochure was
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