



ARKANSAS SECRETARY OF STATE

MARK MARTIN

July 6, 2016

Dear Clerks,

We have heard several concerns about the felon data which we received and passed along to you. Reports have indicated that there are some felons included on this list who have since been pardoned or had their sentences discharged. Other reports indicate that there are some individuals on this list who have not actually been convicted of felonies.

This felon list was received from the Arkansas Crime Information Center (ACIC), as required by Amendment 51, § 7(e). ACIC obtains their information from a variety of sources within court system. Thus, there is potential for some errors to occur.

Given this potential, we suggest you proceed with caution when removing individuals from voter registration rolls, especially individuals with older convictions. These older convictions were included because the data we received in years past came from the Department of Community Corrections (DCC), not ACIC as required by law. Since the method was incorrect, we could not be certain that the old data from DCC contained all of the felons that needed to be included. Many of these individuals with older convictions may have had their right to vote restored at some time in the past, pursuant to Amendment 51, § 11(d).

Most of the problems we are seeing fit one of these situations:

1. The individual has a felony conviction, but has since been discharged or pardoned.

In this case, if the individual has filed proof of discharge or pardon of the conviction with the County Clerk's office in the past, they should not be deleted from the voter registration rolls. They do not need to file this paperwork again. If they have never filed this paperwork, their right to vote can be restored by doing so. See Amendment 51, § 11(d).



2. The individual has never had a felony conviction.

In this case, the individual should contact ACIC at (501) 682-2222 and tell the receptionist they are calling concerning a voter registration issue. They should have their county of registration and, if possible, their county in which charges were brought against them to assist ACIC with investigating the issue.

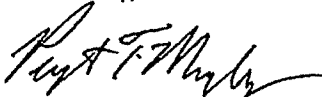
We knew that bringing the felon file process into compliance with Amendment 51 would not be without its glitches, but are certain that the process will become easier over time, as future batches will only include new convictions. We had hoped this would go easier than it has, but due to the problems that have arisen it is apparent that many individuals will have to be reviewed on a case-by-case basis prior to removing them.

If individual counties wish, ES&S can change the cancellations that were made last week back to an active status. This would allow individuals who were on this felon list to be re-added to the registration rolls for the time being, until each can be investigated individually. This could be done on a county-by-county basis. Please contact us if you would like to discuss this possibility.

We sincerely offer our apologies for the problems that have arisen. As the wrinkles are ironed out, we feel confident this process will provide us with more accurate data than the previous process we used.

Please do not hesitate to contact us with any questions.

Sincerely,



Peyton T. Murphy
Assistant Director of Elections

