



From the Office of Secretary of State John A. Gale

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Contact: Laura Strimple

402-471-8408

Gale challenges conclusions of ACLU felon voting survey

LINCOLN – Saying that he has the utmost confidence in the processing of voter registrations by every county election official, Secretary of State John Gale challenged conclusions by the ACLU of Nebraska stemming from a survey it conducted on the voting rights of felons. Gale said that no counties contacted by his office could recall receiving a phone call in the last month from someone identifying themselves with the ACLU, questioning the standards by which felons could resume their voting privileges.

"I am of the strong impression that the questions asked were not standardized across all 93 counties," said Gale. "One county official said her office offered to get additional information for the caller, but the person hung up without leaving a phone number for follow-up. Obviously, the way the survey was conducted was not consistent across the board."

Gale said his office is not aware of any instance in which a felon was denied his or her voting rights, due to a mistake by a county election official. "Since legislation was enacted in Nebraska a decade ago, the processing of felons for voter registration has been the same as it is for every other citizen, with the exception that we go through an additional check to ensure that the individual has met all requirements to be added to the voter registration rolls."

Nebraska's voter registration database is regularly cross-checked with the state's criminal justice system. Felony conviction information on the federal level is also provided.

Voting rights are restored to felons two years after the completion of their prison sentences or if they have met the conditions of their parole or probation. A court order must be issued, restoring the person's right to vote.

"If a voter registration comes in that's been previously flagged as belonging to a felon, the county election official will double check to see if that is the case, no exceptions," emphasized Gale. "If the individual has not met the necessary requirements, then that person is contacted to explain why their registration is being rejected."

Gale also pointed out that on every voter registration form, applicants sign an oath attesting to the fact that they are not disqualified felons or have met the qualifications to have their voting rights reinstated. Knowingly providing false information on that form could result in a felony charge.

"Yes, we do expect a certain amount of responsibility on the part of the applicant," said Gale. "We also train county election officials to deal with these questions when they arise. Admittedly for some counties, this issue does not come up on a regular basis; but, I have no doubt that officials are properly processing every voter registration that comes across their desks, no matter who the applicant may be."

Gale said that going forward his office would provide more information about felon voting rights to county election officials during their regularly scheduled training sessions. Additionally, he agreed that having information posted on the Secretary of State's website would be helpful for the public.

"My deputy for elections is currently following up with every election official in the wake of this report, to confirm their knowledge of felon voting rights. Our goal is to preserve the voting rights of every qualified citizen while ensuring that procedures are followed to prevent the possibility of fraud. That's the essence of a secure election system."

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