

Conference of District Attorneys  
N O R T H C A R O L I N A

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August 22, 2017

Joan M. Fleming, CFE  
Chief Investigator  
Investigations Division  
North Carolina State Board of Elections & Ethics Enforcement

RECEIVED  
AUG 29 2017  
STATE BOARD OF ELECTIONS

Dear Ms. Fleming:

Thank you for your letter and supporting documentation regarding information conveyed to convicted felons relative to their voting rights in North Carolina. I have shared your concerns with the North Carolina Conference of District Attorneys' Executive Committee at our August 18<sup>th</sup> meeting. Upon review of the issue and materials, we recommend the following to improve the process of informing convicted felons regarding their voting rights.

- ◆ Notification language should be added to the plea transcript form (AOC-CR-300). The vast majority of felons are adjudicated through the plea process. This form is an integral instrument for informing the felon. The Administrative Office of the Courts governs the language of court forms through their Forms Committee. This committee is the proper avenue for seeking a language change to this form.
- ◆ The Department of Public Safety could also include the limitation of rights on their probation form as well as include notification through their protocols for addressing probationers.
- ◆ We encourage the county boards to continue their review of information received from the North Carolina Department of Adult Correction (DAC) regarding new felony convictions and voter registrations. This effort will provide a continuing filter for any felons who may still slip through the processes implemented.

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When assessing any potential case alleging violations of the felon voter statute there are many factors to take into account. Each must be evaluated on a case by case basis to determine if there were violations beyond a reasonable doubt which can be proven, and if so, what action the State should take. Providing individuals with the necessary verifiable notifications will assist in making those decisions.

Thank you for bringing this issue to the attention of the District Attorneys. Please let us know if we can be of further assistance in the future.

Sincerely,



Kimberly S. Robb  
President  
NC Conference of District Attorneys

Cc: Jane Ammons Gilchrist, General Counsel, DPS  
Thomas Murray, Chief Legal Counsel for Government Affairs, AOC