



# Voting and the Criminal Justice System

## Most people with criminal histories can vote in Ohio!

There is a common misconception that people with criminal histories have lost their right to vote because some states restrict voting for people convicted of a crime. In Ohio, the only people who cannot vote because of involvement with the criminal justice system are those who are **currently incarcerated for a felony conviction**. Special rules apply if it is a crime involving voter fraud that could impact an election.

- People on probation or parole **can vote** – they are not incarcerated.
- People convicted of a misdemeanor and incarcerated **can vote** – they are not incarcerated for committing a felony.
- People who have been charged with a misdemeanor or a felony and are incarcerated **can vote** – they have not been convicted of a felony.

### How do I vote if I am incarcerated?

Make sure you are registered to vote and vote an absentee ballot.

### What do I have to do to vote once I am released from prison?

If your voting rights were terminated because you were incarcerated for a felony, you will need to re-register. Register online: <https://olvr.ohiosos.gov/>

# The criminal justice system is confusing, so here are some important terms:

Incarcerated: In jail or prison.

Jail: Holds people convicted of misdemeanors. Also holds people who have been charged but not convicted. This includes people awaiting trial and those who were recently arrested

Prison: Holds people after they are convicted of a felony.

Misdemeanor: A “lesser” crime than a felony. Examples: petty theft, obstructing official business, trespassing. Range from 1 to 4, 1 being the most serious.

Felony: A more serious crime than a misdemeanor. Examples: kidnapping, grand theft of a motor vehicle, breaking and entering. Range from 1 to 5, 1 being the most serious.

Charged with a crime: Formally accused of having committed a crime, but the allegation has not yet been proven (and they haven’t pleaded guilty). May or may not be incarcerated. Can vote.

Indicted: Charged by a grand jury of a felony. Still has not been proven. May or may not be incarcerated. Can vote.

Convicted: Found guilty of a crime by a judge or jury, or pleaded guilty. May or may not be incarcerated. Can vote if not incarcerated or if convicted of a misdemeanor.

Probation: Usually an alternative to incarceration. The person is convicted of a crime, and they must abide by certain rules for a period of time or they may be incarcerated. Reports to a probation officer.

Community Control: The term for probation in Ohio.

Parole: Early release from prison or jail on the promise of good behavior. Can be re-incarcerated if they violate the terms of their parole. Reports to a parole officer.