

BIG CHART

State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
Alabama	<p>None. Alabama defines a misdemeanor as “an offense for which a sentence to a term of imprisonment not in excess of one year may be imposed.” See Ala. Code § 13A-1-2(9) (1977).</p>	<p>VOTE: No loss or suspension since 1985. Between 1901 and 1985, however, the Alabama Constitution “disqualified from voting” anyone convicted of “treason, murder, arson, embezzlement, malfeasance in office, larceny, receiving stolen property, obtaining property or money under false pretenses, perjury, subornation of perjury, robbery, assault with intent to rob, burglary, forgery, bribery, assault and battery on the wife, bigamy, living in adultery, sodomy, incest, rape, miscegenation, crime against nature, or any crime punishable by imprisonment in the penitentiary, or of any infamous crime or crime involving moral turpitude; also, any person who shall be convicted as a vagrant or tramp, or of selling or offering to sell his vote or the vote of another, or of buying or offering to buy the vote of another, or of making or offering to make a false return in any election by the people or in any primary election to procure the nomination or election of any person to any office, or of suborning any witness or registrar to secure the registration of any person as an elector.” See Ala. Const. Art VIII, § 182. This encompassed a number of misdemeanors and was declared unconstitutional by the Supreme Court in <i>Hunter v. Underwood</i>, 471 U.S. 222 (1985). Repealed by Amendment No. 579 (Ala. Const. Art. VIII, § 177) in 1996.</p>	<p>Any person convicted in any jurisdiction of committing a “crime of violence” may not own, possess or exercise control over “a pistol,” meaning a firearm with a barrel of less than 12 inches in length. See Ala. Code. §§ 13A-11-70(1), 13A-11-72. A “crime of violence” is defined as “murder, manslaughter, (except manslaughter arising out of the operation of a vehicle), rape, mayhem, assault with intent to rob, assault with intent to ravish, assault with intent to murder, robbery, burglary, kidnapping and larceny.” See Ala. Code § 13A-11-70 (1936). There is no requirement that such convictions be felonies, so it is at least possible that the statute could be applied to a misdemeanor. See, e.g., Ala. Code §§ 13A-8-2 -- 8-5 (defining felony and misdemeanor versions of theft of property, aka larceny).</p> <p>RESTORATION: Can be restored only by a pardon that expressly restores to an individual all civil rights and political privileges. See Ala. Const. art. V, § 124 (1939); <i>State ex rel. Sokira v. Burr</i>, 580 So.2d 1340, 1345 (Ala. 1991). Such a pardon means that the defendant “has had civil rights restored” for purposes of 18 USC § 921(a)(20). See <i>US v. Fowler</i>, 198 F.3d 908, 808-09 (11th Cir. 1999); <i>U.S. v. Swanson</i>, 947 F.2d 914, 918-</p>	<p>VOTE: A person convicted of “a felony involving moral turpitude, or who is mentally incompetent, shall [not] be qualified to vote until restoration of civil and political rights or removal of disability.” Ala. Const. art. VIII, §177 (1996). Note that despite the clear limitation in this language, the Secretary of State has been treating all felons as though they were disqualified from voting. That practice was successfully challenged in the Jefferson County Circuit Court as a violation of Ala. Const. art. VIII, § 177 in <i>Gooden v. Worley</i>, and the state has appealed to the Alabama Supreme Court. No date for oral argument has been set yet. See https://www.edwardstill.com/archives/documents_from_cases/.</p> <p>HOLD OFFICE: A person convicted of “embezzlement of the public money, bribery, perjury, or other infamous crime” is not “eligible to the legislature or capable of holding any office of trust or profit in this state.” See Ala. Const. Art. IV, § 60. An “office of profit” is a public office. See <i>Alexander v. State ex rel. Carver</i>, 150 So.2d 204 (Ala. 1963). An “infamous crime” is a felony, among other things. See <i>Sylvester v. State</i>, 71 Ala. 17, 1881 WL 1100, *5 (Ala. 1881).</p> <p>In addition, by statute, those who are not qualified electors and who “shall have been convicted of treason, embezzlement of public funds, malfeasance in office, larceny, bribery or any other crime punishable by imprisonment in the state or federal penitentiary” are “ineligible to and disqualified from holding” state office. See Ala. Code 36-2-1. Only felonies are “punishable by imprisonment in the state penitentiary,” see Ala. Code 15-18-1(b) (1957), and thus this statute applies only to felonies. This provision has been interpreted to “disqualify” people from holding office if they are convicted of a felony while in office. See <i>State ex rel Graddick v. Ramsey</i>, 407 So.2d 823 (Ala. 1981); see also Ala. Code 36-2-2 (any person convicted of a felony while in public</p>	<p>Any person convicted in any jurisdiction of committing a “crime of violence” may not own, possess or exercise control over “a pistol,” meaning a firearm with a barrel of less than 12 inches in length. See Ala. Code. §§ 13A-11-70(1), 13A-11-72. A “crime of violence” is defined as “murder, manslaughter, (except manslaughter arising out of the operation of a vehicle), rape, mayhem, assault with intent to rob, assault with intent to ravish, assault with intent to murder, robbery, burglary, kidnapping and larceny.” See Ala. Code § 13A-11-70 (1936). Each of these offenses is a felony, though some also have misdemeanor versions.</p> <p>RESTORATION: Can be restored only by a pardon that expressly restores to an individual all civil rights and political privileges. See Ala. Const. art. V, § 124 (1939); <i>State ex rel. Sokira v. Burr</i>, 580 So.2d 1340, 1345 (Ala. 1991). Such a pardon means that the defendant “has had civil rights restored” under 18 USC § 921(a)(20). See <i>US v. Fowler</i>, 198 F.3d 908, 808-09 (11th Cir. 1999); <i>U.S. v. Swanson</i>, 947 F.2d 914, 918-19 (11th Cir. 1991).</p> <p>Note however that between 1958 and 1991, even a pardon was not sufficient to restore the right to possess a firearm by a person previously</p>

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		<p>HOLD OFFICE: A person convicted of “embezzlement of the public money, bribery, perjury, or other infamous crime” is not “eligible to the legislature or capable of holding any office of trust or profit in this state.” <i>See</i> Ala. Const. Art. IV, § 60. This would include an infamous misdemeanor. <i>See, e.g., Osborne v. Banks</i>, 439 So.2d 695, 699 (Ala. 1983) (larceny is an “infamous crime”, whether classified as grand or petty, state or municipal). It does not, however, include misdemeanor assault and battery because that is not an “infamous crime.” <i>See City of Brighton v. Taylor</i>, 594 So.2d 135, 137 (Ala. Civ. App. 1991).</p> <p>SIT ON JURY: Because the right to sit on a jury is tied to the right to vote, there is no loss of the jury right for misdemeanor convictions as of 1985.</p>	<p>19 (11th Cir. 1991).</p> <p>Note that it has become common for the Board of Pardons and Parole to expressly exclude the right to own/possess/control a firearm from the restoration of civil rights. <i>See</i> Ala. Op. Atty. Gen. No. 1999-060, 1998 WL 34309449, * 1, 3 (Dec. 8, 1998).</p>	<p>office, “his office or place shall be vacated from the time of the conviction”).</p> <p>SIT ON JURY: A person is “not qualified” to sit on a jury if she has “lost the right to vote by conviction for any offense involving moral turpitude.” <i>See</i> Ala. Code § 12-16-60(a) (1978). The right to vote is only lost for a felony conviction as a matter of state law (see above).</p> <p>RESTORATION: The State Board of Pardons and Parole has the power to restore civil rights by pardon for all crimes except treason, impeachment, and cases in which a death sentence has been imposed and not commuted. <i>See</i> Ala. Code § 15-22-36(a) (1939). “[A] pardon that restores to an individual all civil rights and political privileges necessarily nullifies <i>all</i> legal punishment for the offense. In other words, if the conviction incorporates certain civil and political disqualifications, then a pardon that specifically revives all civil and political rights must certainly remove any and all legal incapacities.” <i>See State ex rel. Sokira v. Burr</i>, 580 So.2d 1340, 1345 (Ala. 1991). Such a restoration must be “specifically expressed in the pardon.” <i>See</i> Ala. Const. art. V, § 124 (1939). An example of sufficient language is: “ORDERED that all disabilities resulting from the above stated conviction be and they are hereby removed and the civil and political rights of the above named are restored.” <i>State ex rel. Sokira.</i>, 580 So.2d at 1341.</p> <p>In addition to a pardon, a person can be “permitted to register and register as an elector” by obtaining a Certificate of Eligibility to Register to Vote from the State Board of Pardons and Paroles. <i>See</i> Ala. Code. §§ 17-3-31 (2003), 15-22-36.1(a) (2003). Such a Certificate is not available for persons convicted of the following felonies: impeachment, murder, rape in any degree, sodomy in any degree, sexual abuse in any degree, incest, sexual torture, enticing a child to enter a vehicle for immoral purposes, soliciting a child by computer, production of</p>	<p>convicted of a violent felony. <i>See Mason v. State</i>, 103 So.2d 337, 341(Ala. App. Ct. 1956), <i>affirmed by</i> 103 So.2d 341 (1958), <i>overruled by State ex rel. Sokira</i>, 580 So.2d at 1345.</p> <p>Note also that after the <i>Sokira</i> decision, it has become common for the Board of Pardons and Parole to expressly exclude the right to own/possess/control a firearm from the restoration of civil rights. <i>See</i> Ala. Op. Atty. Gen. No. 1999-060, 1998 WL 34309449, * 1, 3 (Dec. 8, 1998).</p>

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				<p>obscene matter involving a minor, production of obscene matter, parents or guardians permitting children to engage in obscene matter, possession of obscene matter, possession with intent to distribute child pornography, or treason. <i>See</i> Ala. Code § 15-22-36.1(g) (2003). It is not clear whether this provision “restores” a person’s right to vote or merely permits them to vote.</p> <p>Note that a pardon cannot restore a person to public office that was lost at the time of conviction. <i>See</i> Ala. Code § 36-2-2; <i>Norris v. Humber</i>, 674 So.2d 77 (Ala. 1995) (§ 36-2-2 also prohibits restoration to office in supernumerary capacity following pardon). It will, however, render a person eligible to run for public office anytime after receiving the pardon and, if elected, to hold that office. <i>See State v. Norris</i>, 879 So.2d 557, 558, 561 (Ala. 2003); <i>see also Sokira</i>, 580 So.2d at 1345.</p> <p>(ExpungementExpungement available only for offenders who successfully complete pre-prosecution or pre-trial diversionary programs; arrest records where no charges are brought; or inaccurate records. <i>See</i> Ala. Code §§ 45-8-82.40, 41-9-625, 41-9-645).</p>	
Alaska	None. Since at least the early 1980s, Class A misdemeanors (the most serious misdemeanors) have been subject to a statutory maximum of 1 year. <i>See</i> Alaska Stat. § 12.55.135.	No loss.	No loss.	<p>VOTE: “No person may vote who has been convicted of a felony involving moral turpitude unless his civil rights have been restored.” <i>See</i> Alaska Const. art. V, § 2 (1959).</p> <p>In addition, “A person convicted of a crime that constitutes a felony involving moral turpitude under state or federal law may not vote in a state, federal, or municipal election from the date of the conviction through the date of the unconditional discharge of the person.” <i>See</i> Alaska Stat. §§ 15.05.030(a) (1980), 33.30.241(a) (1986). A “felony involving moral turpitude includes those crimes that are immoral or wrong in themselves such as murder, manslaughter, assault, sexual assault, sexual abuse of a minor, unlawful exploitation of a minor, robbery, extortion, coercion, kidnapping, incest, arson, burglary, theft, forgery, criminal</p>	<p>A defendant who has been convicted of a felony or adjudicated delinquent under circumstances that would constitute a felony under the law of any jurisdiction if committed by an adult to possess either a firearm capable of being concealed on one’s person, or one that is so concealed, or to reside in a dwelling knowing that such a firearm or a “prohibited weapon” is there. <i>See</i> Alaska Stat. §§ 11.61.200(a)(1), (12), (10).</p> <p>RESTORATION: Because it is an affirmative defense to a</p>

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				<p>possession of a forgery device, offering a false instrument for recording, scheme to defraud, falsifying business records, commercial bribe receiving, commercial bribery, bribery, receiving a bribe, perjury, perjury by inconsistent statements, endangering the welfare of a minor, escape, promoting contraband, interference with official proceedings, receiving a bribe by a witness or a juror, jury tampering, misconduct by a juror, tampering with physical evidence, hindering prosecution, terroristic threatening, riot, criminal possession of explosives, unlawful furnishing of explosives, promoting prostitution, criminal mischief, misconduct involving a controlled substance or an imitation controlled substance, permitting an escape, promoting gambling, possession of gambling records, distribution of child pornography, and possession of child pornography.” <i>See</i> Alaska Stat. § 15.60.010(9). An unconditional discharge “means that a person is released from all disability arising under a conviction and sentence, including probation and parole.” <i>See</i> Alaska Stat. §§ 12.55.185(18), 15.60.010(39).</p> <p>HOLD OFFICE: No loss upon conviction generally.</p> <p>SIT ON JURY: “A person who is convicted of a felony is disqualified from serving as a juror until the person's unconditional discharge.” <i>See</i> Alaska Stat. § 33.30.241(b) (1986); <i>see also</i> Alaska Stat. § 09.20.020(2) (1986) (same).</p> <p>RESTORATION: The right to vote is automatically restored once the person “presents proof” that he has been “unconditionally discharged” from the sentence. <i>See</i> Alaska Stat. § 15.07.135(b) (1980). The right to sit on a jury is restored automatically upon unconditional discharge. <i>See</i> Alaska Stat. § 09.20.020(b).</p> <p><u>Set aside.</u> A court in its discretion may suspend imposition of sentence after entering judgment and place the defendant on probation. <i>See</i> Alaska Stat. §§ 12.55.080, 12.55.085; <i>Doe v.</i></p>	<p>prosecution for a violation of (a)(1), (10), and (12) that the defendant was pardoned or was unconditionally discharged at least 10 years before, it appears that restoration is automatic after 10 years from the date of unconditional discharge. <i>See</i> Alaska Stat. §§ 11.61.200(b)(1)(A), (C); 11.61.200(b)(2)(A), (C); 11.61.200(g)(1)(A), (C). NOTE, however, that this is not so for anyone who had been convicted under Alaska Stat. §§ 11.41.110-11.41.530 (“Crimes Against the Person,” including homicide, assault and reckless endangerment, kidnapping, custodial interference and human trafficking, sex offenses, and robbery, extortion and coercion). For those defendants, pardon is the only way to restore firearm rights.</p> <p>The governor holds pardon power. <i>See</i> Alaska Const. art. III, § 21, Alaska Stat. § 33.20.070.</p> <p>It is an affirmative defense to a prosecution under § 11.61.200 that the person has had her conviction set aside pursuant to § 12.55.085. <i>See</i> Alaska Stat. § 11.61.200(b)(1)(B), (b)(2)(B), (g)(1)(B).</p>

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				<p><i>State, Dept. of Public Safety</i>, 92 P.3d 398, 400 (Ala. 2004). Upon discharge of probation without imposition of sentence, the court may “set aside” the conviction. <i>See</i> Alaska Stat. § 12.55.085(e).</p> <p>A “set aside” does not expunge the conviction. <i>Doe v. State, Dept. of Public Safety</i>, 92 P.3d 398, 407 (Ala. 2004). It does, however, restore firearm rights. <i>See</i> Alaska Stat. §§ 11.61.200(b)(1)(B). It appears to restore all civil rights as well. <i>See Journey v. State</i>, 895 P.2d 955, 959 n.17 (Ala. 1995) (noting without disapproval the trial court’s statement that a set aside “reinstates such civil privileges as the right to vote or serve on a jury”).</p> <p>The procedure is not available for convictions of any homicide offense; assault in the 1st, 2nd, or 3rd degree; stalking in the 1st or 2nd degree; assault of an unborn child in the 1st or 2nd degree; kidnapping; custodial interference in the 1st degree; any sexual offense; robbery in the 1st or 2nd degree; extortion; coercion; arson in the 1st degree; using a firearm in the commission of the offense. <i>See id.</i> § 12.55.085(f)(1)-(2). In addition the procedure is not available to anyone convicted of assault in the 4th degree, reckless endangerment, or any felony if the person has a prior conviction of any misdemeanor offense against the person or any felony, including a prior conviction that has been set aside. <i>See id.</i> at § 12.55.085(f)(3).</p>	
Arizona	None. The statutory maximums for Class 1, 2, and 3 misdemeanors are 6 months, 4 months, and 30 days, respectively. <i>See</i> Ariz. Rev. Stat. § 13-707(A); see also Ariz. Rev. Stat.	None.	<p>A person who is incarcerated or who is serving a term of probation for a “domestic violence offense,” some of which are misdemeanors, or is on supervised release such as parole, is prohibited from possessing under federal law, is a “prohibited possessor” or firearms. <i>See</i> Ariz. Rev. Stat. § 13-3101(6).</p> <p>If a person is convicted of a</p>	<p>VOTE: “[N]or shall any person convicted of treason or felony, be qualified to vote at any election unless restored to civil rights.” <i>See</i> Ariz. Const. art. 7, § 2(c).</p> <p>As a matter of statutory law, a felony conviction “suspends” the right to vote. <i>See</i> Ariz. Rev. Stat. § 13-904(A)(1). A person who has been convicted of treason or a felony is not “qualified to register to vote” unless “restored to civil rights.” <i>See</i> Ariz. Rev. Stat. § 16-101(A)(5).</p> <p>HOLD OFFICE: A felony conviction</p>	<p>ADULTS: A person with a felony conviction from any jurisdiction whose firearm rights have not been restored, or someone incarcerated or serving any term of supervised release including probation or parole, or is prohibited from possessing under federal law, is a “prohibited possessor” or firearms. <i>See</i> Ariz. Rev. Stat. § 13-3101(6).</p>

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	<p>§ 13-1203 (defining Class 1, 2, and 3 misdemeanor assault). Aggravated assault is a felony. <i>See</i> Ariz. Rev. Stat. § 13-1204.</p> <p>Under Ariz. Rev. Stat. § 13-604(E), a person who has been convicted of a misdemeanor (other than a traffic offense) and has had at least one prior from any jurisdiction for the same offense within 2 years of committing the present offense “shall be sentenced for the next highest class of offense than that for which such person currently stands convicted.” The next highest class of offense, however, is a class 6 felony, which is punishable by no more than 1 year. <i>See</i> Ariz. Rev. Stat. § 13-701(C)(5).</p>		<p>“serious offense,” he may not file for “restoration” of the right to carry or possess a gun or firearm for 10 years from the date of discharge from probation. <i>See</i> Ariz. Rev. Stat. §§ 13-905(C), 13-909A (for federal convictions), 13-910 (same). If the person was convicted of any other felony, except a “dangerous offense,” he may not file for “restoration” of the right to carry or possess a gun or firearm for 2 years from the date of discharge from probation. <i>See</i> Ariz. Rev. Stat. § 13-905(C). A person convicted under § 13-604 of committing a dangerous offense may not file for “restoration” of the right to carry or possess a gun or firearm under the above schedule. <i>See</i> Ariz. Rev. Stat. § 13-905(C).</p>	<p>“suspends” the right to hold office. <i>See</i> Ariz. Rev. Stat. § 13-904(A)(2).</p> <p>SIT ON JURY: A felony conviction “suspends” the right to sit on a jury. <i>See</i> Ariz. Rev. Stat. § 13-904(A)(3). A juror who has been convicted of a felony does not meet the statutory “qualifications” unless her “civil rights have been restored.” <i>Id.</i> at § 21-201(3).</p> <p>RESTORATION: For those not previously convicted of a felony, restoration of rights (other than firearm rights) is automatic upon completion of probation or absolute discharge and payment of any fine or restitution. <i>See</i> Ariz. Rev. Stat. § 13-912. This automatic restoration counts under 18 USC § 921(a)(20). <i>See US v. Simpson</i>, 442 F.3d 737 (9th Cir. 2006).</p> <p>A person with 2 or more felony convictions and whose period of probation has been completed “may have any civil rights which were lost or suspended by his felony conviction restored by the judge who discharges him at the end of the term of probation.” <i>See</i> Ariz. Rev. Stat. §§ 13-905(A), 13-906. All probationers receive written notice of the opportunity to have civil rights “restored” prior to absolute discharge. <i>See</i> Ariz. R. Crim. P. 29.1. Those defendants who are discharged directly from prison must wait 2 years before seeking restoration from the sentencing judge. <i>See</i> Ariz. Rev. Stat. at § 13-906(A), (B).</p> <p><u>Set aside / expungement</u> expungement. A person convicted of a criminal offense who has fulfilled the conditions of probation or sentence and been discharged by the court, may apply to the court to “set aside” the judgment of guilt. <i>See</i> Ariz. Stat. § 13-907(A). The court can thereafter set aside the judgment of guilt, dismiss the charging instrument, and order the person released from all penalties and disabilities resulting from the conviction. <i>See id.</i> § 13-907(C). This procedure</p>	<p>A felony conviction “suspends” the right to possess a gun or firearm. <i>See</i> Ariz. Rev. Stat. § 13-904(A)(5). A person may apply to the court for restoration under the following schedule. <i>See</i> Ariz. Rev. Stat. § 13-912(C):</p> <p>If a person is convicted of a “serious offense,” he may not file for “restoration” of the right to carry or possess a gun or firearm for 10 years from the date of discharge from probation. <i>See</i> Ariz. Rev. Stat. § 13-905(C). If the person was convicted of any other felony, except a “dangerous offense,” he may not file for “restoration” of the right to carry or possess a gun or firearm for 2 years from the date of discharge from probation. <i>See</i> Ariz. Rev. Stat. § 13-905(C). A person convicted under § 13-604 of committing a dangerous offense may not file for “restoration” of the right to carry or possess a gun or firearm under the above schedule. <i>See</i> Ariz. Rev. Stat. § 13-905(C). A “dangerous offense” may refer to “a felony involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument or the intentional or knowing infliction of serious physical injury upon another,” <i>see</i> Ariz. Rev. Stat. § 13-604(P), although this definition appears to overlap at least in</p>	

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				<p>has been described as “expunging” the conviction by the Arizona courts. <i>See Matter of Couser</i>, 596 P.2d 26, 27 (Ariz. 1979); (disavowed on different grounds <i>Matter of Hoover</i>, 745 P.2d 939, 945-46 (Ariz. 1987)). The procedure is not available to anyone convicted of a criminal offense involving the infliction of serious injury or the use or exhibition of a deadly weapon or dangerous instrument; or for which the person is required to register as a sex offender; or which was found to have been committed with a sexual motivation; or in which the victim was a minor under fifteen years of age; or any enumerated driving violation. <i>See Ariz. Stat. § 13-907(D)</i>.</p> <p>(Expungement) Expungement is also available for a person convicted of a felony committed while under the age of 18 who is not sentenced to a term of imprisonment and does not have a “historical prior felony conviction” as defined in § 13-604. <i>See Ariz. Stat. § 13-921</i>.</p> <p>Restoration of civil rights can also be sought through a pardon issued by the Governor. <i>See Ariz. Const. art. V, § 5; Ariz. Rev. Stat. § 31-443</i>.</p> <p>It is unclear how a person convicted in another state could have her civil rights restored under Arizona law.</p>	<p>part with the statutory definition of a “serious offense” (see above).</p> <p>Those convicted of a dangerous offense could still have their firearm rights restored by pardon. <i>See Ariz. Const. art. V, § 5; Ariz. Rev. Stat. § 31-443; Ariz. Op. Atty. Gen. No. 179-305 (R79-155), 1979 WL 23372, *1 n.4 (Ariz. Atty Gen. Dec. 31, 1979)</i> (noting that governor’s pardon power is “in addition” to a restoration of rights under § 13-905).</p> <p>JUVENILES: A person adjudicated delinquent for a felony “does not have the right to carry or possess a gun or firearm.” <i>See Ariz. Rev. Stat. § 13-904(H)</i>.</p> <p>A person adjudicated delinquent may have his right to carry or possess a gun or firearm “restored” by the judge who discharges the person from probation. <i>See Ariz. Rev. Stat. § 13-912.01(A)</i>.</p> <p>If the person's adjudication was for a dangerous offense under § 13-604, a serious offense as defined in § 13-604, burglary in the first degree, burglary in the second degree or arson, the person may not file for “restoration” of his right to possess or carry a gun or firearm until the age of 30. <i>See Ariz. Rev. Stat. § 13-912.01(C)</i>.</p>

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					If the person's adjudication was for any other felony offense, the person may not file for "restoration" of his right to possess or carry a gun or firearm for 2 years from the date of his discharge. <i>See</i> Ark. Rev. Stat. § 13-912.01(C).
Arkansas	No. Misdemeanors have a statutory maximum of 1 year (Class A), 90 days (Class B), 30 days (Class C), or that provided by statute. <i>See</i> Ark. Stat. § 5-4-401(b).	<p>VOTE: None.</p> <p>HOLD OFFICE: No person "convicted of embezzlement of public money, bribery, forgery or other infamous crime, shall be eligible to the General Assembly or capable of holding any office of trust or profit." <i>See</i> Ark. Const. art. 5, § 9. An "infamous crime" includes a misdemeanor conviction for an offense involving dishonesty or deceit. <i>See State v. Oldner</i>, 206 S.W.3d 818, 821 (Ark. 2005) (mayor convicted of misdemeanor witness tampering and abuse of office committed "infamous crimes" within meaning of art. 5, § 9). Conviction renders the defendant subject to immediate removal from office. <i>Id.</i> at 826; <i>but see May v. Edwards</i>, 529 S.W.2d 647, 651 (Ark. 1975) (disqualification occurs only upon final disposition of case and imposition of sentence).</p> <p>SIT ON JURY: None.</p> <p>RESTORATION: "Disqualification" from holding office cannot be restored by pardon. <i>See State v. Oldner</i>, 206 S.W.3d 818, 826 (Ark. 2005). The right can only be restored if</p>	None.	<p>VOTE: The right to vote may be "impaired or forfeited" upon lawful conviction of a felony. <i>See</i> Ark. Const. art. 3, § 2. The Arkansas Permanent Registrar must "cancel the registration of voters . . . [w]ho have been convicted of felonies and have not discharged their sentence or been pardoned." <i>See</i> Ark. Const. amend. 51, §11(a)(4). This provision applies to felony convictions from any jurisdiction. <i>See Merritt v. Jones</i>, 533 S.W.2d 497 (Ark. 1976).</p> <p>HOLD OFFICE: No person "convicted of embezzlement of public money, bribery, forgery or other infamous crime, shall be eligible to the General Assembly or capable of holding any office of trust or profit." <i>See</i> Ark. Const. art. 5, § 9. All felonies are considered "infamous crimes" for purposes of this provision. <i>See State v. Oldner</i>, 206 S.W.3d 818, 821 (Ark. 2005) (citations omitted).</p> <p>SIT ON JURY: Persons who have been convicted of a felony and have not been pardoned are "disqualified" from serving on a jury. <i>See</i> Ark. Stat. § 16-31-102(a)(4).</p> <p>RESTORATION: <u>Vote.</u> A convicted felon who wishes to vote must provide the county clerk with "proof that the felon has been discharged from probation or parole, has paid all probation or parole fees, or has satisfied all terms of imprisonment, and paid all applicable court costs, fines, or restitution.." <i>See</i> Ark. Const. amend. 51, § 11(d)(2)(A). "Upon compliance with subdivision (d)(2)(A) of this section, the</p>	No person convicted or adjudicated of a felony may possess or own a firearm unless: (1) the person is granted a pardon "explicitly restoring the ability to possess a firearm;" (2) the governor accepts the recommendation of the chief law enforcement officer in the person's residence to "restore" the ability to possess a firearm (available only if the underlying felony or adjudication did not involve a weapon and occurred more than 8 years ago); (3) otherwise authorized by the governor or the DOJ. <i>See</i> Ark Stat. § 5-73-103.

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State	Misdemeanor		Felony		
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
		<p>the conviction was expunged or otherwise vacated. <i>See Powers v. Bryant</i>, 832 S.W.2d 232 (Ark. 1992) (<i>corum nobis</i> proceeding that declared conviction “null and void” meant person had not been “convicted” under art. 5, § 9); <i>Tyler v. Shackelford</i>, 799 S.W.2d 789, 790 (Ark. 1990) (same for convictions expunged under federal law).</p> <p>A person whose conviction has been expunged “shall have all privileges and rights restored and shall be completely exonerated, and the record which has been expunged shall not affect any of his or her civil rights or liberties unless otherwise specifically provided by law.” <i>See</i> Ark. Stat. § 16-90-902(a). The power to expunge a conviction must be expressly granted by statute and can depend upon the nature of the offense, the age of the offender, and the type of sentence imposed. <i>See</i> Ark. Stat. §§ 5-4-311, 16-90-601, 16-90-602, 16-93-301-303, 16-93-1207; <i>see also Shelton v. State</i>, 870 S.W.2d 398 (Ark. App. 1994).</p>		<p>felon shall be deemed eligible to vote.” <i>Id.</i> at § 11(d)(2)(D). From these provisions, it appears that the right to vote is automatically restored.</p> <p><u>Hold office.</u> “Disqualification” from holding office cannot be restored by a pardon alone. <i>See State v. Oldner</i>, 206 S.W.3d 818, 826 (Ark. 2005). The right can only be restored if the conviction was expunged or otherwise vacated. <i>See Powers v. Bryant</i>, 832 S.W.2d 232 (Ark. 1992) (<i>corum nobis</i> proceeding that declared conviction “null and void” meant person had not been “convicted” under art. 5, § 9); <i>Tyler v. Shackelford</i>, 799 S.W.2d 789, 790 (Ark. 1990) (same for convictions expunged under federal law).</p> <p>A person whose conviction has been <u>expunged</u> “shall have all privileges and rights restored and shall be completely exonerated, and the record which has been expunged shall not affect any of his or her civil rights or liberties unless otherwise specifically provided by law.” <i>See</i> Ark. Stat. § 16-90-902(a). The power to expunge a conviction must be expressly granted by statute and can depend upon the nature of the offense, the age of the offender, and the type of sentence imposed (see below). <i>See</i> Ark. Stat. §§ 5-4-311, 16-90-601, 16-90-602, 16-93-301-303, 16-93-1207; <i>see also Shelton v. State</i>, 870 S.W.2d 398 (Ark. App. 1994).</p> <p><u>Expungement</u><u>Expungement.</u> ExpungementExpungement and sealing the record is available for a wide-range of non-violent offenders who have been convicted of no more than 2 felonies other than a capital offense, murder in the 1st or 2nd degree, 1st degree rape, kidnapping, aggravated robbery, or delivery of controlled substances to a minor. <i>See</i> Ark. Stat. §§ 16-90-602, 16-90-901 <i>et seq.</i>, 16-93-1207. Available anytime after successful completion of either probation or a commitment to the Department of Correction with judicial transfer to the Department of Community Correction. <i>See</i> Ark Stat. § 16-93-1207.</p>	

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
				<p>ExpungementExpungement is not available if convicted of an enumerated sex offense where the victim was under the age of 18. <i>See</i> Ark. Stat. § 60-90-901(a)(3), (b).</p> <p>An expungementexpungement can also follow a pardon, but is not permitted when the pardon is for an offense in which the victim was under the age of 18, a sex offense, or an offense resulting in death or serious physical injury. <i>See</i> Ark. Stat. § 16-90-605(c). It is also available for arrests and charges that are nolle prossed or dismissed, or of which the defendant is acquitted, or for deferred adjudications. <i>See</i> Ark. Stat. §§ 16-90-906; 16-93-303.</p> <p><u>Jury.</u> From the plain language of the disqualification statute, it appears that only a pardon can restore the right to sit on a jury. <i>See</i> Ark. Stat. § 16-31-102(a)(4) (disqualifying those who have been convicted of a felony “and have not been pardoned”).</p> <p>The governor holds the pardon power for all crimes except treason. <i>See</i> Ark. Const., art. 6, § 18; Ark. Stat. § 16-93-204 (Parole Board in charge of making recommendations for pardon to governor), § 16-93-207 (same). The decision to grant a pardon will result in an order to the sentencing court to expunge the conviction. <i>See</i> Ark. Stat. § 16-90-605.</p>	
California	No. A misdemeanor is any crime that is not punished by a sentence of death or imprisonment in the state prison, even if a state prison sentence was available under the statute; a misdemeanor	<p>VOTE: None.</p> <p>HOLD OFFICE: A public officer who appoints another person to office for any gratuity or reward shall be fined and “forfeits his office and is forever disqualified from owning any office in this state.” <i>See</i> Cal. Penal Code § 74; <i>see also</i> Cal. Penal Code § 88 (every member of the state legislature or any local legislative body convicted under Title 6 (Crimes Against</p>	A person convicted of the following misdemeanors cannot own, purchase, receive, possess or exercise custody or control over any firearm: misdemeanor version of assault with a firearm under Cal. Penal Code § 245(a)(2), misdemeanor version of shooting at an inhabited dwelling under Cal. Penal Code § 246, and drawing, using or displaying a firearm in a threatening	<p>VOTE: “The Legislature is directed to provide for the disqualification of any voter while “imprisoned or on parole for the conviction of a felony.” <i>See</i> Cal. Const. art. II, § 4; Cal. Elec. Code § 2201(c) (voter registration to be cancelled “upon proof that the person is presently imprisoned or on parole for conviction of a felony”).</p> <p>HOLD OFFICE: Every person convicted of giving or offering a bribe to procure election or their office is “disqualified from holding any office of profit” in the state. <i>See</i> Cal. Const. art. VII, § 8(a). In addition, “[I]aws shall be made to</p>	A person convicted of a felony in any jurisdiction, or of an offense involving the violent use of a firearm, cannot own, purchase, receive, possess or exercise custody or control over any firearm. <i>See</i> Cal. Penal Code § 12021(a). This rule applies only to certain federal offenders, however. <i>Id.</i> at § 12021(f). RESTORATION: A person convicted of a felony in

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
	<p>can also encompass any offense punishable by either a state prison or county jail sentence (known as a “wobbler offense”) if designated as a misdemeanor by the court, magistrate or prosecutor at certain points in the proceeding. <i>See</i> Cal. Penal Code § 17(a)-(c). However, the default statutory maximum for all misdemeanor convictions is 6 months, <i>see</i> Cal. Penal Code § 19, and no person may be sentenced to a term of confinement on a misdemeanor that is longer than a year. <i>See</i> Cal. Penal Code § 19.2 (1957).</p>	<p>Legislative Power) ‘shall forfeit his or her office and is forever disqualified from holding any office in this state or a political subdivision’); Cal. Govt. Code § 9412 (a legislator’s willful refusal to obey a legislative summons “forfeits his office and is forever disqualified from holding any office in the State”).</p> <p>SIT ON JURY: “Laws shall be made to exclude persons convicted of bribery, perjury, forgery, malfeasance in office, or other high crimes from office or serving on juries.” <i>See</i> Cal. Const. art. VII, § 8(b). “Persons who have been convicted of malfeasance in office . . . , and whose civil rights have not been restored” are not “eligible and qualified” to be jurors. <i>See</i> Cal. C. Civ. P. § 203(a)(5) (1988). Accordingly, any person disqualified from holding office because of one of the misdemeanor convictions listed above would similarly be disqualified from serving on a jury.</p> <p>RESTORATION: The only way to regain these rights is through a pardon from the governor. <i>See</i> Cal. Const. art. V, § 8, Cal. Penal Code § 4800, et seq. A full pardon operates to “restore all the rights, privileges and franchises of which he or she has been deprived” because of the conviction. <i>See</i> Cal. Penal Code § 4853. Misdemeanants (other than those convicted of certain sex offenses which are not applicable to the loss of civil</p>	<p>manner in the presence of a police officer under Cal. Penal Code § 417(c). <i>See</i> Cal. Penal Code § 12021(a) (this provision was first added in 1982).</p> <p>In addition, anyone convicted of the above misdemeanors and drawing or exhibiting a firearm in a rude or threatening manner or using a firearm in a fight or quarrel under Cal. Penal Code § 417(a)(2) after having their prosecution referred from juvenile to adult court is prohibited from owning or possessing a firearm. <i>See</i> Cal. Penal Code § 12021(b). In addition, juveniles adjudicated delinquent for violating certain other misdemeanors are prohibited from owning, possessing, or exercising custody or control over any firearm until age 30. <i>See</i> Cal. Penal Code § 12021(e).</p> <p>There are also numerous other misdemeanors for which a person may not own purchase, receive, possess or have in her custody or control any firearm within 10 years of conviction, although a “peace officer” or a person convicted before the prohibition went into effect may petition a court to reduce or eliminate the prohibition. <i>See</i> Cal. Penal Code § 12021(c).</p> <p>RESTORATION: A misdemeanant may petition</p>	<p>exclude persons convicted of bribery, perjury, forgery, malfeasance in office, or other high crimes from office or serving on juries.” <i>Id.</i> at § 8(b). Racketeering, extortion and conspiracy count as “high crimes” under this provision. <i>See Lubin v. Wilson</i>, 284 Cal. Rptr. 70 (Cal App., 4th Dist. 1991).</p> <p>As a matter of statutory law, “A person is disqualified from holding any office upon conviction of designated crimes as specified in the Constitution and laws of the State.” <i>See</i> Cal. Govt. Code §§ 1021 (1943), 1097; <i>see also</i> Cal. Penal Code §§ 67 (giving or offering bribe to any executive state officer with intent to influence “is disqualified from holding any office in this state”); 68 (anyone accepting or agreeing to accept such a bribe is “forever disqualified from holding any office, employment, or appointment in this state”), 88 (every member of the state legislature or any local legislative body convicted under Title 6 (Crimes Against Legislative Power) ‘shall forfeit his or her office and is forever disqualified from holding any office in this state or a political subdivision’), 98 (any person convicted under Title 7, Chapter 1 (Bribery and Corruption) “forfeits his office and is forever disqualified from holding any office”), 421 (embezzlement by public officer “is disqualified from holding any office in this state”).</p> <p>SIT ON JURY: “Laws shall be made to exclude persons convicted of bribery, perjury, forgery, malfeasance in office, or other high crimes from office or serving on juries.” <i>See</i> Cal. Const. art. VII, § 8(b). “Persons who have been convicted of malfeasance in office or a felony, and whose civil rights have not been restored” are not “eligible and qualified” to be jurors. <i>See</i> Cal. C. Civ. P. § 203(a)(5) (1988).</p> <p>RESTORATION: <i>Vote.</i> Under the plain language of art. II, § 4, the right to vote is automatically restored upon completion of sentence of imprisonment and any term of</p>	<p>California who has resided in California for a statutorily prescribed period of time after being released from incarceration may petition the court for a certificate of rehabilitation. <i>See</i> Cal. Penal Code § 4852.01 <i>et seq.</i> Certain offenders must meet additional requirements and some cannot petition for a certificate at all and cannot obtain a pardon absent extraordinary circumstances. <i>See id.</i> § 4851.01(c)-(e). Once a certificate of rehabilitation is granted, the governor can issue a full pardon or, for a person with at least 2 felony convictions, can issue a pardon only upon the written recommendation of a majority of judges of the Supreme Court. <i>See</i> Cal. Penal. Code § 4852.16. A full and unconditional pardon entitles the person to thereafter exercise all civil and political rights of citizenship, including the right to vote and possess a firearm, unless the person was convicted of using a dangerous weapon to commit a felony. <i>See</i> Cal. Penal Code § 4852.17(b). In such a case, a full pardon issued pursuant to this section will not permit a person to regain firearm rights.</p> <p>In addition, a felon can petition the governor directly for a pardon, which would operate to “restore all the rights, privileges and franchises of which he or she</p>

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State	Misdemeanor		Felony		
	Stat max > 2 years (now or in the past)?	<u>Civil Rights</u>	<u>Firearms Permission</u>	<u>Civil Rights</u>	<u>Firearms Permission</u>
		<p>rights) are not authorized to petition for a certificate of rehabilitation and a pardon as an alternative mechanism. <i>See</i> Cal Penal Code §§ 4852.01 and discussion on restoration in felony column.</p> <p>See also discussion of probationer “set aside” procedure in “Felony” column.</p>	<p>the governor for a pardon, which would operate to “restore all the rights, privileges and franchises of which he or she has been deprived” because of the conviction. <i>See</i> Cal. Penal Code § 4853. This includes firearm rights unless the person was convicted of using a dangerous weapon to commit a felony. <i>See id.</i> at § 4854.</p>	<p>parole. <i>See</i> Cal. Const. art. II, § 4.</p> <p><u>Hold office and sit on jury.</u> A person convicted of a felony in California who has resided in California for a statutorily prescribed period of time after being released from incarceration may petition the court for a certificate of rehabilitation and a pardon. <i>See</i> Cal. Penal Code § 4852.01 <i>et seq.</i> Certain offenders must meet additional requirements and some cannot petition for a certificate at all and cannot obtain a pardon absent extraordinary circumstances. <i>See id.</i> § 4852.01(c)-(e). Once a certificate of rehabilitation is granted, the governor can issue a full pardon or, for a person with at least 2 felony convictions, can issue a pardon only upon the written recommendation of a majority of judges of the Supreme Court. <i>See</i> Cal. Penal. Code § 4852.16. A full and unconditional pardon entitles the person to thereafter exercise all civil and political rights of citizenship, including the right to vote and possess a firearm, unless the person was convicted of using a dangerous weapon to commit a felony. <i>See</i> Cal. Penal Code § 4852.17(b).</p> <p>Alternatively, a person may directly apply to the governor for a pardon or their name can be submitted to the governor by the Parole Board as someone who ought to be pardoned. <i>See</i> Cal. Penal Code § 4801(a). A person with two felony priors must apply for a pardon directly to the governor. <i>See</i> Cal. Penal Code § 4802. Such a pardon operates to “restore all the rights, privileges and franchises of which he or she has been deprived” because of the conviction. <i>See</i> Cal. Penal Code § 4853.</p> <p><u>Set aside / expungement.</u> California has a procedure whereby any person sentenced to probation may, at any time after termination of the probation sentence, petition the court to withdraw any guilty plea or have the court set aside a guilty verdict and judgment of guilt and thereafter dismiss the charging document. <i>See</i> Cal. Penal Code §§ 1203.2, 1203.4(a); <i>People v.</i></p>	<p>has been deprived” because of the conviction. <i>See</i> Cal. Penal Code § 4853. This includes firearm rights unless the person was convicted of using a dangerous weapon to commit a felony. <i>See id.</i> at § 4854; <i>People v. Ratcliff</i>, 223 Cal. App. 3rd 1401, 1409-10 (Cal. App., 4th Dist. 1990) (a full pardon from the governor will not restore firearm rights to person convicted of using a dangerous weapon to commit a felony).</p> <p>The set aside procedure discussed in the “Felony” column does not restore firearm rights.</p>

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State	Misdemeanor		Felony		
	Stat max > 2 years (now or in the past)?	<u>Civil Rights</u>	<u>Firearms Permission</u>	<u>Civil Rights</u>	<u>Firearms Permission</u>
				<p><i>Mendez</i>, 234 Cal.App.3d 1773, 1778 (Cal. App. Dist. 1 1991). The statute describes an order under this provision as having the effect of “seal[ing] or expung[ing] the record” and releasing the person from all penalties and disabilities resulting from the offense, except that it does not restore any firearm rights. <i>See id.</i> at § 1203.4(a), (c). People convicted of the following offenses cannot avail themselves of this procedure: misdemeanor public offenses committed by a pedestrian; sodomy or oral copulation with a victim between the ages of 11 and 13 or by force, violence, duress, menace, or fear of immediate and unlawful bodily injury; lewd or lascivious acts; continuous sexual abuse of a child; an act of sexual penetration with a victim between 11 and 13; felonious sexual intercourse if 21 or older with a minor under 16. <i>See id.</i> at § 1203.4(b). They can, however, obtain a pardon from the governor in “extraordinary circumstances,” unless they have been convicted of misdemeanor public offenses committed by a pedestrian, or felonious sexual intercourse by a person 21 or older with a victim under 16. <i>See id.</i> at § 1203.4(f).</p> <p>A similar procedure exists for misdemeanants who are not sentenced to probation, have fully served the sentence, and have waited at least one year from pronouncement of judgment. <i>See</i> Cal. Penal Code § 1203.4a(a). Not available for misdemeanor pedestrian violations of the vehicle code. <i>See id.</i> at § 1203.4a(b).</p> <p>Any person convicted of a nonviolent drug possession offense must have imposition of sentence suspended following judgment of conviction and instead be sentenced to probation and a drug treatment program. <i>See</i> Cal. Penal Code § 1210.1(a); <i>People v. Muldrow</i>, 144 Cal. App. 4th 1038, 1049 (Cal. App. Ct. 2006). If the court finds that the defendant successfully completed drug treatment, and substantially complied with the conditions of probation, including refraining from the use of drugs after the completion of treatment, the conviction on</p>	

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State	Misdemeanor		Felony		
	Stat max > 2 years (now or in the past)?	<u>Civil Rights</u>	<u>Firearms Permission</u>	<u>Civil Rights</u>	<u>Firearms Permission</u>
				<p>which the probation was based shall be set aside and the court shall dismiss the indictment, complaint, or information against the defendant. <i>See id.</i> at § 1210.1(e)(1). This releases the person from all penalties and disabilities resulting from the offense, except for firearm rights. <i>See id.</i> at § 1210.1(e)(2). The procedure is not available to a person (1) previously convicted of one or more violent or serious felonies unless free of any convictions of a felony or a misdemeanor with an element of physical injury or threat of physical injury to another and custody-free for at least 5 years before committing the instant offense; (2) was convicted in same proceeding of any felony or a misdemeanor not related to use of drugs; (3) who, while armed with a deadly weapon, with the intent to use the same as a deadly weapon, unlawfully possesses or is under the influence of any controlled substance; (4) refuses drug treatment; and (5) who has two separate convictions for nonviolent drug possession offenses, has participated in two separate courses of drug treatment pursuant to this provision, and is found by the court, by clear and convincing evidence, to be unamenable to any and all forms of available drug treatment. <i>See id.</i> at § 1210.1(b)(1)-(5).</p> <p>Finally, certain juvenile misdemeanor first offenders who are eligible to have a conviction “set aside” pursuant to Cal. Penal Code §§ 1203.4 and 1203.4a, can petition the court to seal the record, whether or not the conviction has been set aside. <i>See</i> Cal. Penal Code § 1203.45. Juvenile court records can also be sealed under certain circumstances pursuant to Cal. Welf. & Inst. Code § 781.</p>	

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
Colorado	<p>Yes – misdemeanor assault in the 3rd degree against a police officer, firefighter, or public mental health worker is subject to a 48-month statutory maximum. <i>See</i> Colo. Stat. § 18-1.3-501(1), (1.5)(a), 1.7(a), (3).</p> <p>In addition, habitual sex offenders against children are punished by a mandatory 6 years (e.g., 3 times the statutory maximum) for a misdemeanor conviction for a second or subsequent unlawful sexual offense. <i>See</i> Colo. Stat. §§ 18-3-412(2); 18-1.3-501(1), (3).</p>	<p>VOTE: None.</p> <p>HOLD OFFICE: No person convicted of embezzlement of public moneys, bribery, perjury, solicitation of bribery, or subornation of perjury “shall be eligible” to the General Assembly or “capable of holding any office of trust or profit in this state.” <i>See</i> Colo. Const. art. 12, § 4. The following misdemeanors may fall within this constitutional provision because they are located in the general bribery, abuse of public office, and perjury chapters: rigging publicly exhibited contests, (Colo. Stat. § 18-5-402) (class 3), soliciting unlawful compensation (<i>id.</i> at § 18-8-304) (class 2); trading in public office (<i>id.</i> at § 18-8-305) (class 1); failing to disclose a conflict of interest (<i>id.</i> at 18-8-308) (class 2); official oppression (<i>id.</i> at § 18-8-403) (class 2); first degree official misconduct (<i>id.</i> at § 18-8-404) (class 2); and perjury in the second degree (§ 18-8-503) (class 1).</p> <p>JURY SERVICE: None.</p> <p>RESTORATION: None provided by statute (which addresses only felony convictions). The governor does have pardon power, which ostensibly could be used to restore the right to hold office to those convicted of the misdemeanor versions of embezzlement of public moneys, bribery, perjury, solicitation of bribery, or subordination of</p>	No loss.	<p>VOTE: “No person while confined in any public prison shall be entitled to vote; but every such person who was a qualified elector prior to such imprisonment, and who is released therefrom by virtue of a pardon, or by virtue of having served out his full term of imprisonment, shall without further action, be invested with all the rights of citizenship, except as otherwise provided in this constitution.” <i>See</i> Colo. Const. art. VII, § 10.</p> <p>As a matter of statutory law, no one incarcerated in any institution for committing a felony or on parole “shall be eligible to register to vote or to vote in any election.” <i>See</i> Colo. Stat. §§ 1-2-103(4), 31-10-201(2).</p> <p>HOLD OFFICE: No person convicted of embezzlement of public moneys, bribery, perjury, solicitation of bribery, or subornation of perjury “shall be eligible” to the General Assembly or “capable of holding any office of trust or profit in this state.” <i>See</i> Colo. Const. art. 12, § 4.</p> <p>As a matter of statutory law, any person convicted of a felony “shall be disqualified from holding any office of honor, trust or profit” under state law during the actual time of confinement or term of probation. <i>See</i> Colo. Stat. § 18-1.3-401(3).</p> <p>JURY SERVICE: Since 1989, convicted felons are not disqualified from serving on a trial jury. They are, however, disqualified from sitting on a grand jury if they have been convicted of a felony in any jurisdiction. <i>See</i> Colo. Stat. § 13-71-105(3).</p> <p>RESTORATION: <i>Vote.</i> Automatic upon completion of term of imprisonment and parole, or upon pardon. <i>See</i> Colo. Const. art. VII, § 10; Colo. Stat. § 31-10-201(2); <i>US v. Peterson</i>, 277 F.Supp.2d 1089, 1091-92 (D. Colo. 2003). A federally convicted felon does have to reregister, however. <i>See</i> Colo. Stat. 1-2-606.</p>	<p>Since 1994, a convicted felon or a person adjudicated delinquent for what would be a felony if committed by an adult cannot possess, use or carry on her person a firearm. <i>See</i> Colo. Stat. § 18-12-108(1), (3).</p> <p>No procedure appears to exist for restoring firearms privileges, except for the governor’s pardon. <i>See</i> Colo. Const. art. IV, § 7.</p>

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
		perjury though no case in which that occurred has been found. <i>See</i> Colo. Const. art. IV, § 7.		<p><u>Hold office.</u> Automatic. Upon completion of the term of imprisonment or probation, the right to hold any public office “shall be restored,” except as to persons convicted of embezzlement of public moneys, bribery, perjury, solicitation of bribery, or subordination of perjury. <i>See</i> Colo. Const. art. 12, § 4; Colo. Stat. § 18-1.3-401(3); <i>US v. Peterson</i>, 277 F.Supp.2d 1089, 1092 (D. Colo. 2003).</p> <p>As to defendants convicted of the excepted offenses, the governor does have pardon power, which ostensibly could be used to restore the right to hold office. <i>See</i> Colo. Const. art. IV, § 7.</p> <p>(Sealing of records available for some offenses but only if not charged, dismissed or acquitted. <i>See</i> Colo. Stat. 24-72-308.)</p>	
Connecticut	Yes. A Class A misdemeanor committed by a “persistent offender of crimes involving bigotry and bias” is sentenced as a Class D felony, which carries a sentence of between 1 to 5 years. <i>See</i> Conn. Stat. §§ 53a-40a(b), 53a-35a. The same is true for a Class A misdemeanor committed by a “persistent offender of crimes involving assault, stalking, trespass, threatening, harassment,	<p>VOTE: No loss.</p> <p>HOLD OFFICE: No loss.</p> <p>JURY SERVICE: No loss.</p>	<p>A permit to carry a pistol or revolver may not be issued to and may be revoked from a person convicted of possession of a controlled substance, criminally negligent homicide, assault in the 3d degree, assault in the 3d degree of a vulnerable adult, threatening in the 2d degree, reckless endangerment, unlawful restraint, riot and inciting to riot, and stalking. <i>See</i> Conn. Stat. §§ 29-28(b), 29-32. Same for a certificate of eligibility to purchase a gun. <i>See</i> Conn. Stat. § 29-36f(b).</p> <p>There does not appear to be any statutory mechanism to regain gun rights, although the Board of Pardons and Paroles has pardon authority, which could presumably be invoked. <i>See</i> Conn. Stat. § 54-130a.</p>	<p>VOTE: A person “shall forfeit” the right to vote if convicted of a felony and sentenced to a term of imprisonment. <i>See</i> Conn. Stat. § 9-46(a).</p> <p>HOLD OFFICE: A person who has “forfeited and not regained” the right to vote cannot run for or hold public office. <i>See</i> Conn. Stat. § 9-46(b). Youthful offenders do not lose this right. <i>See</i> Conn. Stat. 54-76k.</p> <p>JURY SERVICE: A person who is not a registered voter, or has been convicted of a felony within the past 7 years, or is a defendant in a pending felony case, or is incarcerated “shall be disqualified to serve as a juror.” <i>See</i> Conn. Stat. § 51-217(a).</p> <p>RESTORATION: <u>Vote.</u> Automatic. Upon discharge from confinement (including completing any term of parole or probation) and payment of all fines, a person’s rights “shall be restored.” <i>See</i> Conn. Stat. § 9-46a.</p> <p><u>Hold Office.</u> Automatic upon restoration of right to vote. <i>See</i> Conn. Stat. § 9-46(b).</p> <p><u>Jury Service.</u> Automatic 7 years after conviction and upon reregistering to vote. <i>See</i> Conn. Stat. §</p>	<p>A permit to carry a pistol or revolver may not be issued to and may be revoked from a person convicted of a felony or adjudicated delinquent for a “serious juvenile offense;” which are all felonies. <i>See</i> Conn. Stat. §§ 29-28(b), 29-32; 53a-217(a) (1991). Same for a certificate of eligibility to purchase a gun. <i>See</i> Conn. Stat. § 29-36f(b).</p> <p>There does not appear to be any statutory mechanism to regain gun rights, although the Board of Pardons and Paroles has pardon authority, which could presumably be invoked. <i>See</i> Conn. Stat. § 54-130a.</p>

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
	criminal violation of a protective order, or criminal violation of a restraining order." See Conn. Stat. § 53a-40d(b).			51-217(a). The Board of Pardons and Paroles has pardon authority, which could presumably be invoked as well. See Conn. Stat. § 54-130a. (Records may be "erased" only if acquitted or charge dismissed. See Conn. Stat. § 54-142a.)	
Delaware	No. See 11 Del. Code Ann. §4206.	<p>VOTE: Any person convicted of a misdemeanor election offense under Del. Const. art. 5 § 7 is "incapable" of voting for 10 years following the sentence. See Del. Const. art. 5 § 7; 15 Del. Code. Ann. § 1701.</p> <p>HOLD OFFICE: No, although a misdemeanor conviction of misbehavior in office would likely result in removal from that particular office. Article 2, § 21 has been interpreted to apply only to felony convictions. See <i>Dorcy v. City of Dover Bd. Of Elections</i>, 1994 WL 146012, *5-6 (Del. Super. Mar. 25, 1994). In dicta, however, the <i>Dorcy</i> court suggested that "misbehavior in office" under Article 15, § 6 would include misdemeanor convictions. See <i>id.</i> at *5 ("Perhaps it is better left to remove from office for "misbehavior in office" under § 6 when that misbehavior is a misdemeanor or other bad act inconsistent with public office and keep infamous crimes to certain felonies."</p> <p>JURY SERVICE: None.</p>	<p>A person convicted of a crime of violence involving physical injury if another or a misdemeanor crime of domestic violence is prohibited from purchasing, owning, possessing or controlling any firearm or ammunition. See 11 Del. Code Ann. § 1448(a)(1), (7).</p> <p>Misdemeanants "shall not be prohibited from" purchasing, owning, possessing or controlling any firearm or ammunition if the conviction is 5 or more years old. See 11 Del. Code Ann. § 1448(d).</p> <p>An unconditional pardon "restores" the right to possess firearms. See 11 Del. Code Ann. § 4364 (an unconditional pardon "shall have the effect of restoring all civil rights to the person pardoned," including "the right to purchase or possess deadly weapons").</p>	<p>VOTE: No person "convicted of a crime deemed by law [a] felony . . . shall enjoy the right of an elector." See Del. Const., art. 5 § 2.</p> <p>HOLD OFFICE: No person convicted of "embezzlement of the public money, bribery, perjury or other infamous crime" is "eligible" to hold any public office in the state. See Del. Const. art. 2, § 21. The state constitution further requires the governor to "remove from office" any person convicted of "misbehavior in office or of any infamous crime." See Del. Const. art. 15, § 6. "Infamous crimes" do not encompass all felonies but do include crimes of moral turpitude. See <i>State ex rel. Weir v. Peterson</i>, 369 A.2d 1076, 1079 (Del. 1976); <i>Dorcy v. City of Dover Bd. Of Elections</i>, 1994 WL 146012, * 7-8 (Del. Super. March 25, 1994).</p> <p>JURY SERVICE: Convicted felons who have not had their civil rights "restored" are not "qualified for jury service." See 10 Del. Code Ann. § 4509(b)(6).</p> <p>RESTORATION: <u>Vote.</u> "Any person who is disqualified as a voter because of a conviction of a crime deemed by law a felony shall have such disqualification removed upon being pardoned, or five years after the expiration of the sentence, whichever may first occur," which includes any term of probation or parole. See Del. Const., art. 5 § 2. The provision states that it does not apply to those convicted of murder or manslaughter (except vehicular homicide), any felony constituting an offense against public administration involving bribery or improper influence or abuse of office, or any felony</p>	<p>A person convicted of a felony or a crime of violence involving physical injury of another or using, possessing or selling a controlled substance is prohibited from purchasing, owning, possessing or controlling any firearm or ammunition. See 11 Del. Code Ann. § 1448(a)(1), (3).</p> <p>A juvenile adjudicated delinquent for a crime that would have been a felony if committed by an adult is prohibited from purchasing, owning, possessing or controlling any firearm or ammunition until the age of 25. See 11 Del. Code Ann. § 1448(a)(4).</p> <p>An unconditional pardon "restores" the right to possess firearms. See 11 Del. Code Ann. § 4364 (an unconditional pardon "shall have the effect of restoring all civil rights to the person pardoned," including "the right to purchase or possess deadly weapons").</p>

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	<u>Civil Rights</u>	<u>Firearms Permission</u>	<u>Civil Rights</u>	<u>Firearms Permission</u>
				<p>constituting a sexual offense, but it is unclear from the wording whether that means such offenders' rights cannot even be restored by a pardon. <i>See id.</i> Presumably, pardon is still available (see below).</p> <p>At the end of the 5-year period, the person must apply to the county board of election to reregister to vote. <i>See</i> 15 Del. Code § 6101 <i>et seq.</i> Upon determination that “the applicant was convicted of a felony which is not disqualifying [meaning, is not one of the enumerated felonies in Del. Const. art..5, § 2], has fully discharged all imposed sentences, and otherwise meets all constitutional requirements, the applicant shall be permitted to register as a qualified voter.” <i>See id.</i> at § 6104(c); <i>see also id.</i> at § 6102(a)(2). A “fully discharged sentence” is one for which the person has served the required sentence of imprisonment, parole, work release, early release, or supervised custody and community supervision and has also paid all financial obligations and restitution required by the sentence.” <i>See id.</i> at § 6102(b).</p> <p>The governor has the power to grant a pardon in any case except impeachment upon the written recommendation of a majority of the Board of Pardons. <i>See</i> Del. Const. art. 7, § 1. A pardon “restores the rights and privileges forfeited” by conviction. <i>See State v. Skinner</i>, 632 A.2d 82, 84 (Del. 1993); 11 Del. Code Ann. § 4364 (an unconditional pardon “shall have the effect of restoring all civil rights to the person pardoned,” including “the right to vote”).</p> <p><u>Hold Office.</u> Nothing, including a pardon, can restore the right to hold office for anyone convicted of embezzlement of the public money, bribery, perjury or other infamous crime. <i>See</i> 11 Del. Code Ann. § 4364; <i>State ex rel Wier v. Peterson</i>, 369 A.2d 1076, 1081 (Del. 1976).</p> <p><u>Jury.</u> Jury rights are restored by pardon from the governor. <i>See</i> 10 Del. Code Ann. § 4509(b)(6); 11 Del. Code Ann. § 4364.</p>	

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
				<p><u>Expungement</u> available only for first offender convictions relating to underage drinking, or for arrest and other records for charges that are “unfounded or unproven.” <i>See</i> 4 Del. Code Ann. § 904, 11 Del. Code Ann. § 4371.</p>	
District of Columbia	<p>Misdemeanors are defined by case law as having a statutory maximum of 1-year imprisonment. <i>See Henson v. U.S.</i>, 399 A.2d 16, 20 (D.C. 1979). Certain repeat stalking offenses are punishable by up to 3 times the statutory maximum of 1 year. <i>See</i> D.C. Stat. § 22-404(d).</p>	<p>VOTE: A person incarcerated for a misdemeanor violation of D.C. Stat. §§ 1-1001.14 (corrupt election practices), 1-1105.07 (lobbying violations), or 1-1107.01 (miscellaneous provisions under election laws chapter) has the right to vote suspended during the period of incarceration. <i>See</i> D.C. Stat. § 1-1001.02(7)(B) (violations of §§ 1-1001.14, 1-1105.07, and 1-1107.01 included in definition of “felony” for purposes of qualification to vote).</p> <p>HOLD OFFICE: None.</p> <p>JURY SERVICE: A person facing pending misdemeanor charges is not qualified to sit on a jury, but a misdemeanor conviction will not disqualify a person from jury service. <i>See</i> D.C. Stat. § 11-1906(b)(2)(B).</p>	<p>No person convicted of inviting for purposes of prostitution, keeping a bawdy or disorderly house, or vagrancy may possess a pistol. <i>See</i> D.C. Stat. §§ 22-4503(a)(3), 22-2701, 22-2722, 22-3502, 22-3506.</p> <p>The President has authority to issue pardons. <i>See In re Abrams</i>, 689 A.2d 6 (D.C. 1997).</p>	<p>VOTE: “Any person in the District of Columbia who has been convicted of a crime in the United States which is a felony in the District of Columbia, may be a qualified elector, if otherwise qualified, at the end of his incarceration.” <i>See</i> D.C. Stat. § 1-1001.02(7)(A). Accordingly, a person’s right to vote is never “lost” but only suspended during any period of incarceration.</p> <p>HOLD OFFICE: The right to hold office is typically tied to being a qualified elector, meaning anyone who is presently incarcerated could not hold office. <i>See, e.g.</i>, D.C. Stat. §§ 1-204.02 (Council member must be a qualified elector), 1-204.21(c)(1) (same for mayor), 1-401(b)(1)(A) (same for delegate to U.S. House of Representatives).</p> <p>JURY SERVICE: A person “shall not be qualified” to serve on a jury “if that individual has been convicted of a felony or has a pending felony or misdemeanor charge.” <i>See</i> D.C. Stat. § 11-1906(b)(2)(B).</p> <p>RESTORATION: <u>Vote.</u> Automatic upon release. <i>See</i> D.C. Stat. § 1-1001-.02(7)(A).</p> <p><u>Hold Office.</u> Automatic upon being a “qualified elector”. <i>See</i> D.C. Stat. §§ 1-204.02, 1-204.21(c)(1), 1-401(b)(1)(A).</p> <p><u>Jury.</u> A person disqualified for jury service because of a felony conviction may qualify for jury service 1 year after completing the sentence following appropriate certification under procedures set out in the jury system plan. <i>See</i> D.C. Stat. § 11-1906(b)(2)(B).</p> <p>The President has authority to issue pardons. <i>See</i></p>	<p>No person convicted of a felony may possess a pistol. <i>See</i> D.C. Stat. § 22-4503(a)(2).</p> <p>It appears that the only mechanism for restoring civil rights is through a pardon. The President has authority to issue pardons. <i>See In re Abrams</i>, 689 A.2d 6 (D.C. 1997).</p>

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
				<p><i>In re Abrams</i>, 689 A.2d 6 (D.C. 1997).</p> <p><u>Expungement</u>. Available only for conviction of parental kidnapping, D.C. Stat. § 16-1026, or conviction of underage drinking/false ID. <i>See</i> D.C. Stat. § 25-1002.</p> <p>(Expungement is also available for deferred adjudication, probation, and dismissal of first controlled substances offense. D.C. Stat. § 48-904.01(e).)</p> <p>(Set aside available only for certain youth offenders. <i>See</i> D.C. Stat. § 24-906.)</p>	
Florida	<p>Yes for older crimes. Prior to 1995, a defendant who committed any misdemeanor while wearing a mask was punishable by up to 5 years imprisonment in the county jail. <i>See Cabal v. State</i>, 678 So.2d 315, 316-17 & n.3 (Fla. 1996). In 1995, that statute was amended to require reclassification of the crime itself. <i>See</i> Fla. Stat. § 775.0845.</p> <p>The same is true for the state's "hate crime" statute, which made first-degree misdemeanors</p>	<p>VOTE: None.</p> <p>HOLD OFFICE: None.</p> <p>JURY SERVICE: None.</p>	<p>There are no restrictions on a misdemeanor's ability to possess weapons. A license to carry a concealed weapon will be denied, however, if the applicant has been convicted of any misdemeanor under Chapter 893 ("Drug Abuse and Prevention") within the 3-year period immediately preceding the date the application is submitted. <i>See</i> Fla. Stat. § 790.06(2)(e). Additionally, a person will be "presumed" to "chronically and habitually use alcoholic beverages or other substances to the extent that his or her normal faculties are impaired," another ground for rejecting a license to carry application, if the person has been convicted of the following misdemeanors within the 3-year period immediately preceding the application: Fla. Stat. §§ 790.151 (using a firearm while under the influence), 856.011(3) (habitual offender of disorderly intoxication), or</p>	<p>VOTE: No person convicted of a felony "shall be qualified" to vote until "restoration of civil rights." <i>See</i> Fla. Const. art. 6, § 4(a).</p> <p>HOLD OFFICE: No person convicted of a felony "shall be qualified" to hold office until "restoration of civil rights." <i>See</i> Fla. Const. art. 6, § 4(a).</p> <p>JURY SERVICE: No person convicted of a state felony or what would have been a felony had she been convicted in the state "shall be qualified" to be a juror "unless restored to civil rights." <i>See</i> Fla. Stat. § 40.013(1).</p> <p>RESTORATION: As of April 5, 2007, automatic restoration of rights upon completion of imprisonment, parole, probation, community control, control release, conditional release if no outstanding detainers or pending charges, paid all restitution, and never convicted of enumerated crimes; automatic without a hearing upon completion of imprisonment, parole, probation, community control, control release, conditional release if no outstanding detainers or pending charges, paid all restitution, and never convicted of shorter list of specified crimes; automatic without a hearing if crime and arrest free for 15 years after completion of imprisonment, parole, probation, community control, control release, and paid all restitution; or by application. <i>See</i> Rules of Executive</p>	<p>A person convicted of a felony punishable by more than 1 year imprisonment under the law of any jurisdiction or adjudicated delinquent for what would have been a felony may not own, possess, or exercise custody or control over a firearm or ammunition, or carry a concealed weapon. <i>See</i> Fla. Stat. § 790.23(1)(a)-(e).</p> <p>May apply for specific authority to own, possess or use firearms 8 years after completion of imprisonment, parole, probation, community control, control release, conditional release; no outstanding detainers or pending charges; paid all restitution. <i>See</i> Rules of Executive Clemency, https://fpc.state.fl.us/Clemency.htm at Rule 4(I)(F).</p> <p>Full pardon restores all firearm rights. <i>Id.</i> at Rule 5(I)(D).</p>

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
	<p>punishable by up to 5 years until the statute was amended in 1998 to require reclassification to third degree felonies. <i>See</i> Fla. Stat. § 775.085.</p>		<p>2 convictions of 316.193 (driving under the influence). <i>See</i> Fla. Stat. § 790.06(2)(f).</p> <p>Finally, a license to carry will be denied if the applicant has been found guilty of, had adjudication of guilt withheld for, or had imposition of sentence suspended for one or more crimes of violence constituting a misdemeanor, unless 3 years have elapsed since probation or any other conditions set by the court have been fulfilled or the record has been sealed or expunged. <i>See</i> Fla. Stat. § 790.06(3).</p> <p>A conviction for any of the foregoing is also grounds to suspend or revoke a license to carry. <i>See</i> Fla. Stat. § 790.06(10)(a), (d), (e), (f).</p> <p>Each of these potential restrictions automatically terminates 3 years after the date of the triggering event.</p>	<p>Clemency, https://fpc.state.fl.us/Clemency.htm at Rules 9-10.</p> <p>May apply for pardon 10 years after completion of imprisonment, parole, probation, community control, control release, conditional release; no outstanding detainers or pending charges; paid all restitution. <i>Id.</i> at Rule 5(I)(A).</p> <p>(Expungement and sealing available for some offenses only if not charged, dismissed, acquitted or adjudicated delinquent. <i>See</i> Fla. Stat. §§ 943.0515, 943.0585, 943.059.)</p>	
Georgia	<p>No. A “felony” is defined as any crime punishable by more than one year. <i>See</i> Ga. Stat. § 16-1-3.</p>	<p>VOTE: None.</p> <p>HOLD OFFICE: No person can run for elected office who has been convicted of fraudulent violation of primary or election laws, malfeasance in office, or a felony involving moral turpitude unless his or her civil rights have been “restored,” 10 years have passed since completing the sentence without a subsequent conviction for a felony involving moral turpitude, and any public funds have been repaid. <i>See</i> Ga. Stat. § 21-2-8. Theoretically,</p>	<p>“[A]ny person who has been convicted of a forcible misdemeanor and has not been free of all restraint or supervision in connection therewith for at least five years” is prohibited from obtaining a license to carry a firearm, but not prohibited from possessing one. <i>See</i> Ga. Stat. §§ 16-11-129(b)(3); 16-11-131(b).</p> <p>Any person who has been convicted of the following misdemeanors is also</p>	<p>VOTE: “No person who has been convicted of a felony involving moral turpitude may register, remain registered, or vote except upon completion of the sentence.” <i>See</i> Ga. Const. art. 2, § 1, ¶ III(a); Ga. Stat. § 21-2-216(b).</p> <p>HOLD OFFICE: No person who has been convicted of a felony involving moral turpitude “shall be eligible” to hold any public office in the state “unless that person’s civil rights have been restored and at least 10 years have elapsed from the date of completion of the sentence without a subsequent conviction of another felony involving moral turpitude.” <i>See</i> Ga. Const. art. 2, § 2, ¶ III.</p>	<p>A person convicted of a felony in any jurisdiction cannot receive, possess or transport a firearm. <i>See</i> Ga. Stat. § 16-11-131(b). Such a person is also prohibited from receiving a license to carry a firearm, unless that person has been pardoned. <i>See id.</i> § 16-11-129(b)(3).</p> <p>The prohibition on firearms does not apply to anyone who has received a pardon from the President of the U.S., the Board of Pardons and Parole,</p>

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
		<p>this provision could be applied to a person convicted of a misdemeanor violation of primary or election laws or malfeasance in office.</p> <p>JURY SERVICE: None, although this is not governed by statute and thus the possibility exists that a person with a misdemeanor conviction for an “infamous” crime under the common law could be barred from jury service. <i>See Bennett v. State</i>, 414 S.E.2d 218, 221 (Ga. 1993) (citing <i>Williams v. State</i>, 77 S.E. 189, 190-91 (1913) (holding that moral qualifications of jurors could be set by reference to whether juror has been convicted of an “infamous” crime under common law)); <i>but see</i> Ga. Stat. § 15-12-60(b)(2) (only people with felony convictions are disqualified from sitting on a grand jury).</p> <p>RESTORATION: Hold Office. Must wait for 10 years after completing the sentence and must show that civil rights have been restored. <i>See</i> Ga. Const. art. 2, § 2, ¶ III; Ga. Stat. § 21-2-8.</p> <p>A Restoration of Civil and Political Rights, issued by the Board of Pardons and Paroles removes any civil disabilities imposed as a result of the conviction. <i>See Morton v. State</i>, 303 S.E.2d 509, 510 (Ga. App. 1983); Ga. Admin. Code. § 475-3-.10(6). The Restoration can be granted to a person to a person</p>	<p>prohibited from obtaining a license to carry a firearm: if that person has not been “free of all restraint or supervision” for at least 3 years before the date of the license application: carrying a concealed weapon (§ 16-11-126), carrying a deadly weapon to or while at a public gathering (§ 16-11-127), and carrying a pistol without a license (§ 16-11-128). <i>See</i> Ga. Stat. §§ 16-11-129(b)(3).</p> <p>Finally, any person convicted of a drug offense cannot obtain a license to carry a firearm. <i>See</i> Ga. Stat. §§ 16-11-129(b)(5)(A).</p> <p>Presumably, these rights would be reinstated automatically at the end of the limitations period (where applicable) or by a pardon. <i>See</i> Ga. Const. art. 4, § 2, ¶ II(a); Ga. Stat. § 42-9-54(a); Ga. Admin. Code § 475-2-.01.</p>	<p>Similarly, any person convicted of a felony involving moral turpitude is “ineligible” to hold any public office “unless restored to all his rights of citizenship by a pardon from the State Board of Pardons and Paroles.” <i>See</i> Ga. Stat. § 45-2-1(3).</p> <p>In addition, no person can run for elected office who has been convicted of fraudulent violation of primary or election laws, malfeasance in office, or a felony involving moral turpitude unless his or her civil rights have been “restored,” 10 years have past since completing the sentence without a subsequent conviction for a felony involving moral turpitude, and any public funds have been repaid. <i>See</i> Ga. Stat. § 21-2-8.</p> <p>JURY SERVICE: No loss. Georgia does not disqualify felons from sitting on a trial jury by statute, even though it has recognized that such a result may be warranted under the common law. <i>See Bennett v. State</i>, 414 S.E.2d 218, 221 (Ga. 1993) (citing <i>Williams v. State</i>, 77 S.E. 189, 190-91 (1913) (holding that moral qualifications of jurors could be set by reference to whether juror has been convicted of an “infamous” crime under common law)). <i>Cf.</i> Ga. Stat. § 15-12-60(b)(2) (a person who has been convicted of a felony and not been pardoned or had civil rights restored is “incompetent” to serve as grand juror).</p> <p>RESTORATION: Vote. Automatic upon completion of sentence. <i>See Holton v. Hollingsworth</i>, 514 S.E.2d 6, 8 (Ga. 1999) (convicted felon does not have to “reregister” to vote upon completion of sentence).</p> <p>Hold Office. Must wait for 10 years after completing the sentence and must show that civil rights have been restored. <i>See</i> Ga. Const. art. 2, § 2, ¶ III; Ga. Stat. § 21-2-8.</p> <p>A Restoration of Civil and Political Rights, issued by the Board of Pardons and Paroles removes any civil disabilities imposed as a result</p>	<p>or any other person or entity empowered to grant pardons, if the pardon expressly authorizes the person to receive, possess, or transport a firearm. <i>See</i> Ga. Stat. § 16-11-131(c). It also does not apply to anyone who can make an adequate showing to the Board of Pardons and Parole that he has received relief from firearms prohibitions from the federal government pursuant to 18 USC § 925, or was convicted of a felony pertaining to antitrust violations, unfair trade practices, or restraint of trade, and that granting the petition will not pose a threat to public safety. <i>See id.</i> at § 16-11-131(d). Georgia does have a mechanism whereby first offenders can have their conviction “discharged” if they satisfactorily serve their sentence. Such a disposition is not treated as a “conviction” under state law and does not remove any civil rights, including firearm rights. <i>See</i> Ga. Stat. §§ 42-8-62(a); 16-11-131(f).</p>

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
		<p>who has completed his sentence plus 2 years without any criminal involvement. <i>See id.</i></p> <p>The Board of Pardons and Parole can also restore civil rights by pardon. <i>See</i> Ga. Stat. § 42-9-54(a); Ga. Admin. Code. § 475-2-.01, § 475-3-.10(3)(b). Pardons are granted when an applicant has served the full sentence and has had a clean record for 5 years, although the waiting period may be waived if it is detrimental to the applicant’s livelihood. <i>See</i> Ga. Admin. Code § 475-3-.10(3)(b).</p> <p>In addition, Georgia has a mechanism whereby first offenders can have their conviction “discharged” if they satisfactorily serve their sentence. Such a disposition is not treated as a “conviction” under state law and does not remove any civil rights. <i>See</i> Ga. Stat. § 42-8-62(a).</p> <p><u>Jury Service.</u> A pardon or Restoration of Civil Rights would render a convicted felon qualified to sit on a grand jury. <i>See</i> Ga. Stat. § 15-12-60(b)(2). Presumably, that would work for a misdemeanant seeking qualification to sit on a trial jury as well.</p>		<p>of the conviction. <i>See Morton v. State</i>, 303 S.E.2d 509, 510 (Ga. App. 1983); Ga. Admin. Code. § 475-3-.10(6). The Restoration can be granted to a person who has completed his sentence plus 2 years without any criminal involvement. <i>See id.</i></p> <p>The Board of Pardons and Parole can also restore civil rights by pardon. <i>See</i> Ga. Stat. § 42-9-54(a); Ga. Admin. Code. § 475-2-.01, § 475-3-.10(3)(b). Pardons are granted when an applicant has served the full sentence and has had a clean record for 5 years, although the waiting period may be waived if it is detrimental to the applicant’s livelihood. <i>See</i> Ga. Admin. Code § 475-3-.10(3)(b).</p> <p><u>Jury Service.</u> A pardon or Restoration of Civil Rights would render a person qualified to sit on a grand jury. <i>See</i> Ga. Stat. § 15-12-60(b)(2). Presumably, that would work for a trial jury as well.</p> <p>There are no expungement or “set aside” procedures available.</p>	
Hawaii	No. For purposes of civil rights issues, a “felony” is a crime that is punishable by more than 1 year in prison. <i>See</i>	<p>VOTE: None. <i>See</i> Hawaii Stat. § 831-3.</p> <p>HOLD OFFICE: None. <i>See id.</i></p> <p>JURY SERVICE: None. <i>See id.</i></p>	No one may own possess, or control a firearm if he has been convicted of committing a crime of violence, or an illegal drug sale; or been adjudicated of committing 2 or more crimes of violence, or an illegal drug sale in the	<p>VOTE: A person “sentenced for a felony . . . may not” vote “from time of the person’s sentence until the person’s final discharge . . . but if the defendant is placed on probation or the defendant is paroled after commitment to imprisonment, the defendant may vote during the period of the probation or parole.” <i>See</i> Hawaii Stat. § 831-2(a)(1).</p>	No one may own possess, or control a firearm if he has been prohibited from owning firearm under federal law; or convicted of committing a felony, crime of violence, or an illegal drug sale; or been adjudicated of committing a

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State	Misdemeanor		Felony		
	Stat max > 2 years (now or in the past)?	<u>Civil Rights</u>	<u>Firearms Permission</u>	<u>Civil Rights</u>	<u>Firearms Permission</u>
	Hawaii Stat. § 831-1; <i>accord id.</i> at § 706-663.		<p>family court and is under age 25. <i>See</i> Hawaii Stat § 134-7(b), and (d). A “crime of violence” is any offense in the criminal code that “involves injury or threat of injury to the person of another,” and thus can encompass a misdemeanor conviction. <i>See id.</i> at § 134-1.</p> <p>, Presumably this right could be restored by a pardon from the governor. <i>See</i> Hawaii Const. art. 5, § 5 (governor has authority to grant pardons).</p>	<p>HOLD OFFICE: A person sentenced for a felony “may not” become a candidate for or hold public office “from the time of the person’s sentence until the person’s final discharge” and forfeits any such office held at the time of conviction (or receipt of certification of conviction if convicted in another jurisdiction). <i>See</i> Hawaii Stat. § 831-2(a)(2), (b).</p> <p>JURY SERVICE: A person is “disqualified” from serving as a juror if she has been convicted of a felony in state or federal court and not pardoned. <i>See</i> Hawaii Stat. § 612-4(b)(2).</p> <p>RESTORATION: <u>Vote.</u> Automatic upon discharge of sentence. <i>See</i> Hawaii Stat. § 831-5(a) (requiring discharge papers to state that defendant’s right to vote is “restored” and the defendant suffers no additional disability as a result of the conviction and sentence); <i>see also id.</i> at § 831-5(b), (c) (similar rules for person convicted by different jurisdiction).</p> <p><u>Hold Office.</u> Automatic upon discharge of sentence, unless the defendant was convicted of any act, attempt, or conspiracy to overthrow the state or the federal government by force or violence. <i>See</i> Hawaii Stat. §§ 831-5(a) (requiring discharge papers to state that defendant’s right to hold any future public office is “restored” and the defendant suffers no additional disability as a result of the conviction and sentence); § 831-5(b), (c) (similar rules for person convicted by different jurisdiction); 831-2(c).</p> <p><u>Jury Service.</u> Upon a pardon issued by the Governor. <i>See</i> Hawaii Stat. § 612-4(b)(2); <i>see also</i> Hawaii Const. art. 5, § 5 (governor has authority to grant pardons); Hawaii Stat. § 353-72.</p> <p><u>Expungement.</u> A first time drug offender convicted of any offense involving the possession or use of drug paraphernalia or</p>	<p>felony, 2 or more crimes of violence, or an illegal drug sale in the family court and is under age 25. <i>See</i> Hawaii Stat § 134-7(a), (b), and (d).</p> <p>Presumably, this right could be restored by a pardon from the governor. <i>See</i> Hawaii Const. art. 5, § 5 (governor has authority to grant pardons).</p>

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
				<p>certain felonies involving the possession or use of any dangerous drug, detrimental drug, harmful drug, intoxicating compound, marijuana, or marijuana concentrate, can be sentenced to probation so long as the court finds that the person is nonviolent, is in need of substance abuse treatment, and has a proposal for obtaining such treatment. <i>See</i> Hawaii Stat. § 706-622.5(1). If the person successfully completes the treatment program and complies with all other terms of probation, the person can file an application to expunge the conviction. <i>See id.</i> at § 706-622.5(4). Expungement is permissible only once. <i>See id.</i></p> <p>Otherwise, expungement is available only for vacated convictions or deferred adjudications. <i>See</i> Hawaii Stat. § 853-1.</p>	
Idaho	<p>No. Statutory and common law misdemeanors are punishable by a statutory maximum of 6 months. <i>See</i> Ida. Stat. §§ 18-303, 18-113; <i>see also id.</i> at § 18-111 (only felonies are punishable by a state prison sentence).</p>	<p>VOTE: None.</p> <p>HOLD OFFICE: None.</p> <p>JURY SERVICE: None.</p>	<p>A person will be denied a license to carry a concealed weapon if “he has been convicted of 1 or more crimes of violence constituting a misdemeanor, unless 3 years has elapsed since disposition or pardon has occurred prior to the date on which the application is submitted.” <i>See</i> Ida. Stat. § 18-3302(1)(h).</p> <p>Juveniles adjudicated delinquent for misdemeanors may petition for expungement after the expiration of one (1) year from the date of termination of the continuing jurisdiction of the court or after reaching age eighteen (18) years, whichever occurs later. <i>See</i> Idaho Stat. § 20-525A(2).</p>	<p>VOTE: No person is “permitted to vote” who has been convicted of a felony and who has “not been restored to the rights of citizenship,” or who is in prison at the time of the election. <i>See</i> Ida. Const. art. VI, § 3; Ida. Stat. §§ 34-403, 50-412.</p> <p>A sentence of custody to the Idaho state board of correction “suspends all the civil rights of the person so sentenced,” although “any such person may lawfully exercise all civil rights that are not political during any period of parole or probation,” except, among other rights, the right to ship, transport, possess or receive a firearm. <i>See</i> Ida. Stat. § 18-310(1).</p> <p>HOLD OFFICE: No person is “permitted to” hold any civil office who has been convicted of a felony, and who has “not been restored to the rights of citizenship.” <i>See</i> Ida. Const. art. VI, § 3.</p> <p>JURY SERVICE: No person is “permitted to” serve on a jury who has been convicted of a felony, and who has “not been restored to the rights of citizenship.” <i>See</i> Ida. Const. art. VI, § 3; Ida. Stat. § 2-209(2)(b).</p> <p>RESTORATION: Automatic. “Upon final</p>	<p>A sentence to the Idaho State Board of Correction “suspends all the civil rights of the person so sentenced,” including the right to ship, transport, receive or possess a firearm. <i>See</i> Ida. Stat. § 18-310(1). That suspension continues during any period of parole or probation. <i>See id.</i> In addition, a license to carry a concealed weapon will be denied anyone convicted of a felony. <i>See</i> Ida. Stat. § 18-3302(1)(c).</p> <p>Upon final discharge, a person convicted of any Idaho felony shall be restored the full rights of citizenship, including the right to ship, transport, possess or receive a firearm, <u>except</u> for those convicted of the following offenses on or after July 1, 1991: aggravated assault; aggravated battery; assault with intent to commit a</p>

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State	Misdemeanor		Felony		
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
				<p>discharge, a person convicted of any Idaho felony shall be restored the full rights of citizenship.” <i>See</i> Ida. Stat. § 18-310(2). “Persons convicted of felonies in other states or jurisdictions shall be allowed to register and vote in Idaho upon final discharge,” including completion of any sentence of parole or probation, but not their firearms rights. <i>See id.</i> at § 18-310(4).</p> <p><u>Jury Service.</u> Automatic. A person who is disqualified from jury service because of a felony conviction and has not been restored to the rights of citizenship pursuant to § 18-310 is only disqualified for a period of 2 years. <i>See</i> Ida. Stat. § 2-209(3) (note that this provision is new as of 2005; prior version did not have 2 year limitation). This provision likely applies only to people convicted of a felony in another state, because it appears that anyone convicted of a felony in Idaho would have rights restored on final discharge pursuant to § 18-310(2). <i>Cf.</i> Ida. Stat. § 18-310(4) (discussing restoration of voting and firearm rights, but not the right to serve on a jury, for people convicted in other states).</p> <p>The Commission has whatever power it is given by statute to grant pardons for all offenses except treason and impeachment on conviction. <i>See</i> Ida. Const. art. IV, § 7. However, by statute, the Commission cannot grant a pardon for murder, voluntary manslaughter, rape, kidnapping, lewd and lascivious conduct with a minor child, and manufacture or delivery of controlled substances, but instead can only recommend a pardon subject to the approval or disapproval of the governor. <i>See</i> Ida. Stat. § 20-240.</p> <p><u>Set aside / expungement:</u> If a defendant who receives a suspended sentence either complies with all terms and conditions of probation or successfully completes and graduates from a drug or mental health court program and thereafter complies with all terms and conditions of probation for any offense other than a</p>	<p>serious felony; battery with intent to commit a serious felony; burglary; crime against nature; domestic battery, felony; enticing of children, felony; forcible sexual penetration by use of a foreign object; indecent exposure, felony; injury to child, felony; intimidating a witness, felony; lewd conduct with a minor or child under sixteen; sexual abuse of a child under sixteen; sexual exploitation of a child; felonious rescuing prisoners; escape by one charged with, convicted of or on probation for a felony; unlawful possession of a firearm; degrees of murder; voluntary manslaughter; assault with intent to murder; administering poison with intent to kill; kidnapping; mayhem; rape; male rape; robbery; ritualized abuse of a child; cannibalism; felonious manufacture, delivery or possession with the intent to manufacture or deliver, or possession of a controlled or counterfeit substance; trafficking; threats against state officials of the executive, legislative or judicial branch, felony; unlawful discharge of a firearm at a dwelling house, occupied building, vehicle or mobile home; unlawful possession of destructive devices; unlawful use of destructive device or bomb; attempt, conspiracy, or solicitation to commit any of</p>

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State	Misdemeanor		Felony		
	Stat max > 2 years (now or in the past)?	<u>Civil Rights</u>	<u>Firearms Permission</u>	<u>Civil Rights</u>	<u>Firearms Permission</u>
				<p>registrable sex offense, the court can set aside the plea or verdict of guilt, and thereafter dismiss the case and discharge the defendant, which “shall have the effect of restoring the defendant to his civil rights.” <i>See</i> Ida. Stat. § 19-2604(1), (3). This procedure has been described by the courts as “expunging” the record of conviction. <i>See State v. Mowry</i>, 9 P.3d 1217, 1221 (Ida. 2000). The effect is to nullify the conviction and treat it “as if it never happened at all.” <i>See State v. Robinson</i>, 143 P.3d 729, 731 (Ida. 2006); <i>Manners v. State Bd. of Veterinary Med.</i>, 694 P.2d 1298, 1300 (Id. 1985).</p> <p>The procedure is also available if the court has “withheld sentence,” meaning that judgment has been withheld. <i>See</i> Ida. Stat. § 19-2604(1); <i>State v. Griffith</i>, 97 P.3d 483, 484 (Ida. 2004).</p> <p>A juvenile adjudicated delinquent for a felony or who was committed to the custody of the Department of Juvenile Corrections may also petition the court to expunge her record after the expiration of 5 years from the date of termination of the continuing jurisdiction of the court, or, in case the juvenile was committed to the juvenile corrections center, 5 years from the date of her release from the juvenile corrections center, or after reaching 18, whichever occurs last. <i>See</i> Idaho Stat. § 20-525A(1). Upon the entry of the order the proceedings in the petitioner's case shall be deemed never to have occurred. <i>See id.</i> at § 20-525A(5). Records of the following offenses may not be expunged: aggravated battery; armed robbery; arson; assault with intent to commit a serious felony or to murder; felony assault or battery upon certain personnel; forcible sexual penetration by use of a foreign object; infamous crime against nature, committed by force or violence; felony injury to child; kidnapping; murder of any degree; rape, excluding statutory rape; ritualized abuse of a child; sexual exploitation of a child; unlawful use of destructive device or bomb; voluntary manslaughter; manufacturing, delivering or possessing with intent to deliver a Schedule I, II,</p>	<p>those crimes. <i>See</i> Ida. Stat. § 18-310(2).</p> <p>For those convicted before July 1, 1991, only those convicted of using a firearm to commit murder or voluntary manslaughter “shall not be restored the right to ship, transport, possess or receive a firearm.” <i>Id.</i></p> <p>Anyone whose rights are not restored may apply to the Commission of Pardons and Parole to “restore the civil right to ship, transport, possess or receive a firearm,” 5 years after the date of final discharge. <i>Id.</i> at § 18-310(3). No one convicted of committing murder in the first or second degree, or of using a firearm to commit any of the above-enumerated felonies may have their firearms rights restored through this mechanism. <i>Id.</i> A pardon, expungement, set aside, or similar procedure will, however, restore civil rights, even as to the three excepted felonies. <i>See</i> Ida. Stat. § 18-3316(1), (2), (4) (a person convicted of a felony enumerated in § 18-310 has been “convicted of a felony” for purposes of state firearm in possession statute, unless the conviction “has been nullified by expungement, pardon, setting aside the conviction or other comparable procedure”).</p>

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
				III, or IV controlled substance within one thousand (1,000) feet of any primary or secondary school, or in those portions of any public structure or grounds being used for an activity sponsored by or through such a school; drug trafficking or manufacturing of illegal drugs. <i>See id.</i> at § 20-525A(4).	
Illinois	No. <i>See</i> 730 Ill. Code § 5/5-8-3.	<p>VOTE: A person “under sentence in a correctional institution or jail, shall lose the right to vote, which right shall be restored not later than upon completion of his sentence.” <i>See</i> Ill. Const. art. 3, § 2. “A person sentenced to imprisonment shall lose his right to vote until released from imprisonment.” <i>See</i> 730 Ill. Code Ann. § 5/5-5-5(3); <i>see also id.</i> at § 5/3-5.</p> <p>HOLD OFFICE: An elective office is deemed vacant upon conviction for an “infamous crime or any offense involving a violation of official oath.” <i>See</i> Ill. Stat. § 5/25-2(5). An admission of guilt in committing a felony, bribery, perjury, or other infamous crime under state or federal law is deemed a resignation of elective office. <i>See id.</i> “Infamous crime” has been held to include misdemeanors in the context of deciding what constitutes admissible impeachment evidence. <i>See People v. Spates</i>, 395 N.E.2d 563, 567-68 (Ill. 1979).</p> <p>JURY SERVICE: None.</p>	<p>Yes for those under 21. A person under 21 is subject to having an application denied or a license revoked if he or she has ever been convicted of a misdemeanor other than a traffic offense or adjudged delinquent. <i>See</i> Ill. Stat. ch. 430, §§ 65/4(a)(2)(i), 65/8(a).</p> <p>Appeal from a denial or revocation is accomplished in the same manner as that established for persons with less serious felony convictions. <i>See</i> Ill. Stat. ch. 430 § 65/10(a).</p>	<p>VOTE: “A person convicted of a felony, or otherwise under sentence in a correctional institution or jail, shall lose the right to vote, which right shall be restored not later than upon completion of his sentence.” <i>See</i> Ill. Const. art. 3, § 2. “A person sentenced to imprisonment shall lose his right to vote until released from imprisonment.” <i>See</i> 730 Ill. Code Ann. § 5/5-5-5(3).</p> <p>HOLD OFFICE: “A person convicted of a felony, bribery, perjury or other infamous crime shall be ineligible to hold an office created by this Constitution. Eligibility may be restored as provided by law.” <i>See</i> Ill. Const. art. 13, § 1. “A person convicted of a felony shall be ineligible to hold an office created by the Constitution of this State until the completion of his sentence.” <i>See</i> 730 Ill. Code Ann. § 5/5-5-5(2). A person convicted under 10 Ill. Code. §§ 5/29-6 (mutilation of election materials) or 5/29-10 (perjury under the election code) is not permitted to hold office for a period of 5 years following completion of the sentence.</p> <p>An elective office is deemed vacant upon conviction for an “infamous crime or any offense involving a violation of official oath.” <i>See</i> 10 Ill. Stat. § 5/25-2(5). An admission of guilt in committing a felony, bribery, perjury, or other infamous crime under state or federal law is deemed a resignation of elective office. <i>See id.</i></p> <p>JURY SERVICE: None, although governing statute does have a general “morality” clause that does not appear to have ever been invoked to disqualify a juror. <i>See</i> 705 Ill. Code § 305/2.</p> <p>RESTORATION: Automatic upon completion</p>	<p>A felon cannot possess or carry a firearm, unless “relief” has been granted by the Director of the Department of State Police under Section 10 of the Firearm Owners Identification Card Act. <i>See</i> Ill. Stat. ch. 720, § 5/24-1.1(a).</p> <p>Certain felons can appeal a denial of a Firearm Owner’s Identification Card to the Director of the State Police; other persons convicted of enumerated (more serious) felonies must petition the court and show (1) he has not been convicted of or served a sentence of imprisonment for a forcible felony within the past 20 years (counted from the date of the application), (2) that the defendant is not likely to be dangerous to public safety, and (3) that granting the defendant relief would be in the public interest. <i>See</i> Ill. Stat. ch. 430 § 65/10(a), (c).</p> <p>For a delinquent adjudicated of what would have been a felony, the waiting time is 10 years from the adjudication. <i>See id.</i> at § 65/10(d), (e).</p> <p>The Governor also has pardon authority and reviews</p>

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State	Misdemeanor		Felony		
	Stat max > 2 years (now or in the past)?	<u>Civil Rights</u>	<u>Firearms Permission</u>	<u>Civil Rights</u>	<u>Firearms Permission</u>
				<p>of sentence of imprisonment (vote) or discharge from any term of probation, conditional discharge, or periodic term of imprisonment (hold office). <i>See</i> Ill. Const. art. 3, § 2; 730 Ill. Code Ann. § 5/5-5-5(2)-(3).</p> <p>The Governor has pardon authority and reviews petitions filed with the Prisoner Review Board. <i>See</i> Ill. Const. art. 5, § 12; 730 Ill. Code § 5/3-3-13(a).</p> <p><u>Expungement</u> is only available for first offenders convicted of misdemeanor failure to pay child support. <i>See</i> 750 Ill. Code § 16/15(c).</p> <p>(Records may be sealed by petition to court for any first offender convicted of any Class 4 felony except the following: prostitution, possession of marijuana or a controlled or counterfeit substance or controlled substance analogue, and possession of methamphetamine. <i>See</i> 20 Ill. Code § 2630/5(h)(1), (2)(B), (5), (7). This is not an “expungement.” <i>Cf. id.</i> at § 2630/5(a). Records are eligible for sealing if (i) at least 4 years have elapsed since the person was last convicted or the term of any sentence, probation, parole, or supervision, if any, has run, whichever is last in time; and (ii) the person has not been convicted of a felony or misdemeanor or placed on supervision for a misdemeanor or felony during that time. <i>See id.</i> at § 2630/5(h)(3)(D). A person may not have any subsequent felony convictions sealed. <i>See id.</i> at § 2630/5(h)(5). Note, however, that the effect of an order to seal criminal records on the exercise of civil rights does not appear to have been discussed in any case.</p> <p>(It is also available for certain juvenile records, arrest records where the charges did not result in a conviction, upon pardon with specific authorization to expunge the conviction, or where the conviction was vacated on direct or collateral review for factual innocence. <i>See</i> 20 Ill. Code § 2630/5(a), (c), (c-6); 705 Ill. Code § 405/5-915).</p>	<p>petitions filed with the Prisoner Review Board. <i>See</i> Ill. Const. art. 5, § 12; 730 Ill. Code § 5/3-3-13(a).</p>

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
Indiana	<p>Yes. <i>See</i> Ind. Stat. § 35-50-2-10(a)(2), (f) (Class A misdemeanor "habitual substance offender" punishable by additional term of 3 to 8 years, which may be reduced to 1 additional year imposed).</p>	<p>VOTE: <i>See</i> "Felony" column. HOLD OFFICE: When a person is convicted of a misdemeanor offense under the Bribery, Conflict of Interest and Official Misconduct chapter, the court may include an order that the person is incapable of holding public office for no more than 10 years. <i>See</i> Ind. Stat. § 35-50-5-1.1.</p> <p>In addition, a person whose Class D felony conviction is reduced to a misdemeanor is still disqualified from running for state office. <i>See</i> Ind. Stat. §§ 3-8-1-5(d).</p> <p>JURY SERVICE: A person is "disqualified" to serve on a jury if she is under a sentence imposed for an offense. <i>See</i> Ind. Code § 33-28-4-8(a)(4).</p> <p>RESTORATION: <u>Vote.</u> Automatic when the person is no longer imprisoned or otherwise subject to lawful detention. <i>See</i> Ind. Stat. §§ 3-7-13-5(a), 3-7-13-6(b) (a person on probation, parole, subject to home detention, or in community placement is eligible to vote).</p> <p><u>Hold Office.</u> Automatic when court order expires. <i>See</i> Ind. Stat. § 35-50-5-1.1. A pardon, vacatur, reversal, or set aside is not a "conviction." <i>See id.</i> at § 3-8-1-5(b).</p> <p><u>Jury Service.</u> Automatic when the sentence (including any terms of parole or probation) has been discharged. § 33-28-4-</p>	<p>A "proper person" to have a license does not include anyone convicted of: resisting arrest in past 5 years (Class A misdemeanor); a crime of domestic violence (see below); a gun handling safety violation; or a gun licensing violation within the past 5 years. <i>See</i> Ind. Stat. § 35-47-1-7(1), (3), (8), (9).</p> <p>As of 2003, for any person convicted of an offense classified as a "crime of domestic violence" under Ind. Stat. § 35-41-1-6.3, an automatic restoration of voting or jury rights will not restore the right to possess a firearm. <i>See</i> Ind. Stat. §§ 3-7-13-5(b), 33-28-4-8(g). Such a person must petition a court for restoration of the right to possess a firearm no sooner than 5 years after the date of conviction. <i>See</i> Ind. Stat. §§ 3-7-13-5(c), 33-28-4-8(h).</p> <p>A person has not been "convicted of a crime of domestic violence" if the conviction has been expunged or the person has been pardoned. <i>See</i> Ind. Stat. §§ 3-7-13-5(f), 33-28-4-8(k).</p> <p>A full pardon will remove any firearm right "disability" if 15 years have elapsed between the time of the offense and the application for a gun license unless the person was convicted of an "offense against the person" or a violation of the firearms laws.</p>	<p>VOTE: A person who is imprisoned for "any crime" is deprived of the right to vote. <i>See</i> Ind. Stat. § 3-7-13-4(a); <i>see also</i> Ind. Const. art. 2, § 8 (General Legislature has power to deprive those convicted of an "infamous crime" of the right to vote and to render them ineligible for office). As used in the state constitution, an "infamous crime" has been interpreted to mean a felony. <i>See Taylor v. State Election Bd.</i>, 616 N.E.2d 380 (Ind. Ct. App. 1993). Thus it is likely that the statute applies only to felony convictions notwithstanding its plain language.</p> <p>HOLD OFFICE: A person is disqualified from running for state office if he is convicted of a felony under any jurisdiction. <i>See</i> Ind. Stat. §§ 3-8-1-5(c)(3), 5-8-3-1.</p> <p>JURY SERVICE: A person is "disqualified" to serve on a jury if she is under a sentence imposed for an offense or has had rights revoked because of a felony conviction and they have not been restored. <i>See</i> Ind. Code § 33-28-4-8(a)(4), (6).</p> <p>RESTORATION: <u>Vote.</u> Automatic when the person is no longer imprisoned or otherwise subject to lawful detention, including probation, parole, home detention or community placement. <i>See</i> Ind. Stat. §§ 3-7-13-5, 3-7-13-6.</p> <p><u>Hold Office.</u> By pardon from the governor, who receives recommendations from the Parole Board. <i>See</i> Ind. Const. art. 5, § 17 (governor may issue pardons in all cases except treason and impeachment cases); Ind. Stat. § 11-9-2-1 <i>et seq.</i> Pardon, reversal, and set aside is not a conviction. <i>See id.</i> at § 3-8-1-5(b).</p> <p><u>Jury Service.</u> Automatic when the sentence (including any terms of parole or probation) has been discharged or when civil rights have been restored, if at a later date. <i>See</i> Ind. Stat. § 33-28-4-8(a)(4); <i>United States v. Brown</i>, 235 F.Supp.2d 931, 934 (S.D. Ind. 2002).</p> <p>(Expungement available only where there has</p>	<p>A "proper person" to have a license to carry a handgun does not include anyone convicted of a felony or adjudicated delinquent for what would have been a felony and who is under 23 years old. <i>See</i> Ind. Stat. § 35-47-1-7(2), (10); <i>see also id.</i> at 35-47-2-3-(g)(1), (4). In addition, no one can sell, give, or in any manner transfer ownership or possession of a firearm to a person with a felony conviction. <i>See</i> Ind. Stat. § 35-47-2-7(b)(1)(A).</p> <p>The right to possess a firearm is lost only upon conviction for a "serious violent felony" or a "domestic batterer," meaning a person convicted of domestic battery under Ind. Stat. § 35-42-2-1.3. <i>See</i> Ind. Stat. §§ 35-47-4-5, 35-47-4-6. "Serious violent felonies" include: murder; voluntary manslaughter; reckless homicide not committed by means of a vehicle; battery as a Class A, B, or C felony; aggravated battery; kidnapping; criminal confinement; rape; criminal deviate conduct; child molesting; sexual battery as a Class C felony; robbery; carjacking; arson as a Class A felony or Class B felony; burglary as a Class A felony or Class B felony; assisting a criminal as a Class C felony; resisting law enforcement as a Class B felony or Class C felony; escape as a Class B felony or Class C felony;</p>

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State	Misdemeanor		Felony		
	Stat max > 2 years (now or in the past)?	<u>Civil Rights</u>	<u>Firearms Permission</u>	<u>Civil Rights</u>	<u>Firearms Permission</u>
		8(a)(4); <i>United States v. Brown</i> , 235 F.Supp.2d 931, 934 (S.D. Ind. 2002).	<i>See</i> Ind. Stat. § 35-47-2-20(a). A conditional pardon is available to anyone and can “remove all disabilities applicable to holding a handgun permit,” or it can condition that removal on a finding by the State Police Superintendent that the person is likely to handle firearms in compliance with the law. <i>See</i> Ind. Stat. §§ 11-9-2-4, 35-47-2-20(b).	been no conviction or following an order vacating the conviction on appeal or a pardon (if the latter, only the record of conviction is expunged). <i>See</i> Ind. Stat. § 35-38-5-1; <i>Blake v. State</i> , 860 N.E.2d 625, 631 (Ind. App. 2007); <i>Upp v. State</i> , 808 N.E.2d 706, 708 (Ind. App. 2004.)	trafficking with an inmate as a Class C felony; criminal gang intimidation; stalking as a Class B felony or Class C felony; incest; dealing in or manufacturing cocaine or a narcotic drug, or dealing in methamphetamine or a schedule I, II, III, IV or V controlled substance. <i>See</i> Ind. Stat. § 35-47-4-5. A full pardon will remove any firearm right “disability” if 15 years have elapsed between the time of the offense and the application for a gun license unless the person was convicted of an “offense against the person.” <i>See</i> Ind. Stat. § 35-47-2-20(a). A conditional pardon is available to anyone and can “remove all disabilities applicable to holding a handgun permit,” or it can condition that removal on a finding by the State Police Superintendent that the person is likely to handle firearms in compliance with the law. <i>See</i> Ind. Stat. §§ 11-9-2-4, 35-47-2-20(b). As of 2003, a person convicted of an offense classified as a “crime of domestic violence” under Ind. Stat. § 35-41-1-6.3 or a “domestic batterer “ under Ind. Stat. § 35-42-2-1.3 may also petition a court for restoration of the right to possess a firearm no sooner than 5 years after the date of conviction. <i>See</i> Ind. Stat. §§

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
					3-7-13-5(b), 33-28-4-8(h), 3-7-13-5(b), 33-28-4-8(g). A person has not been “convicted of a crime of domestic violence” if the conviction has been expunged or the person has been pardoned. <i>See</i> Ind. Stat. §§ 3-7-13-5(f), 33-28-4-8(k).
Iowa	Yes. <i>See</i> Iowa Stat. § 903.1(1) (misdemeanors punishable by 30 days (simple), 1 year (serious), or 2 years (aggravated)); Iowa Stat. § 901A.2 (serious or aggravated misdemeanor classified as “sexually predatory offense” punishable by twice the maximum sentence otherwise available with 1 prior, and up to 10 years with 2 priors); Iowa Stat. § 903B.2 (since 2005, for certain misdemeanor sex crimes, consecutive 10 years supervision with two-year maximum for first revocation,	<p>VOTE: No loss. <i>See</i> Iowa Const., art. II, § 5; Iowa Stat. § 39.27.3.</p> <p>HOLD OFFICE: No loss.</p> <p>JURY SERVICE: No loss.</p>	<p>A person convicted of the misdemeanor versions of domestic abuse assault, assault in violation of individual rights, assault on persons engaged in certain occupations, setting a spring gun or trap, hazing, and stalking is not “eligible” to obtain a permit to own or carry a firearm. <i>See</i> Iowa Stat. §§ 724.8(6), 724.15(1)(e).</p> <p>Firearm rights can be restored by pardon or by a restoration of rights issued by the governor. <i>See</i> Iowa Const. art. 4, § 16; Iowa Stat. §§ 48A.6(1), 914.1, 914.2; <i>Slater v. Olson</i>, 299 NW 879, 880-81 (Iowa 1941). As of 1994, a person 17 or younger who commits a public offense against a person, which constitutes an aggravated misdemeanor “shall not have the person's rights of citizenship restored to the extent of allowing the person to receive, transport, or possess firearms.” <i>See</i> Iowa Stat. § 914.7.</p>	<p>VOTE: No person convicted of an “infamous crime” is “entitled to the privileges of an elector.” <i>See</i> Iowa Const., art. II, § 5. Since 1994, an “infamous crime” has been defined in this statute as any state or federal felony. <i>See</i> Iowa Stat. § 39.3. As a matter of statutory law, any person convicted of a felony under state or federal law is “disqualified” from registering to vote and voting. <i>See</i> Iowa Stat. § 48A.6(1).</p> <p>HOLD OFFICE: A person elected to any office must be an “eligible elector”. <i>See</i> Iowa Stat. § 39.27. An “eligible elector” is defined as a person who possesses all of the qualifications necessary to entitle the person to be registered to vote. <i>See</i> Iowa Stat. § 39.3. Anyone convicted of an “infamous” crime is not entitled to the privileges of an elector, <i>see</i> Iowa Const., art. II, § 5, which, since 1994, has been statutorily defined as a felony. <i>See id.</i> An election may be challenged on the ground that the person elected had been convicted of a felony and had not been pardoned or restored to the rights of citizenship. <i>See</i> Iowa Stat. § 57.1(2)(c).</p> <p>JURY SERVICE: No loss of right to serve, but may be challenged for cause.</p> <p>RESTORATION: If rights are “restored” by governor or President, a convicted felon may register to vote (which will also permit him to hold office). <i>See</i> Iowa Stat. § 48A.6(1). A person has the right to apply for a restoration of rights from the governor anytime after conviction. <i>See</i> Iowa Stat. § 914.2. The rights to vote and hold office of all offenders whose sentences (including probation, parole and</p>	<p>A person convicted of a felony in any state or federal court, or a person adjudicated delinquent because of what would have been a felony since 1997, cannot possess, receive, transport, cause to be transported, or exercise dominion and control over a firearm. <i>See</i> Iowa Stat. § 724.26; <i>see also</i> Iowa Stat. §§ 724.8(2), 724.15(1)(b). This prohibition does not apply to a person who has been pardoned or had their civil rights restored under any state or federal law so long as the pardon or restoration expressly authorizes the person to receive, transport or possess firearms. <i>See id.</i> at § 724.27. However, a person convicted of a forcible felony, a felony violation of chapter 124 (controlled substances) involving a firearm, or a felony violation of chapter 724 (weapons) “shall not have the person's rights of citizenship restored to the extent of allowing the person to receive, transport, or possess firearms.” <i>See</i> Iowa Stat. § 914.7. Same for a person 17 or younger who commits any felony. <i>See id.</i></p>

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
	five-year maximum for second revocation).			<p>supervised release) were discharged as of July 4, 2005, were automatically restored. For those who complete their sentences after July 4, 2005, the Governor automatically considers them for restoration of rights. Persons may also apply for restoration of rights. <i>See</i> Executive Order No. 42, http://www.governor.iowa.gov/administration/docs/vilsack-EO-42.pdf; Frequently Asked Questions.; http://www.governor.iowa.gov/administration/citizenship-faq.php.</p> <p>The governor also has pardon authority over all crimes except treason and impeachment. <i>See</i> Iowa Const. art. 4, § 16; Iowa Stat. § 914.1 (governor has power to issue pardons and restore the rights of citizenship). As with a restoration of rights, a person has the right to apply for a pardon from the governor anytime after conviction. <i>See</i> Iowa Stat. § 914.2. A full pardon “exempts” any legal “disabilities or disqualifications” imposed because of a conviction. <i>See Slater v. Olson</i>, 299 NW 879, 880-81 (Iowa 1941).</p> <p><u>Expungement</u>. Available only for consuming alcohol in public. <i>See</i> Iowa Stat. § 123.46.</p> <p>(A criminal record may be expunged only if judgment was deferred, and person was discharged from probation. <i>Id.</i> § 907.9.)</p>	
Kansas	No. The statutory maximum for a misdemeanor conviction is 1 year. <i>See</i> Kan. Stat. § 21-4502.	No loss.	No person can possess a firearm if he was convicted or adjudicated (by any jurisdiction) any violation of the Uniform Controlled Substances Act, which includes misdemeanors. <i>See</i> Kan. Stat. § 21-4204(a)(2). In addition, as of Jan. 1, 2007, no person can obtain a license to carry a firearm if convicted of misdemeanor violations of driving under the influence or a domestic violence	<p>VOTE: A person convicted in any state or federal court of a felony is “ineligible” to register to vote or vote in any election. <i>See</i> Kan. Stat. § 21-4615(1) (prior to 1996, statute used term “disabilities”).</p> <p>HOLD OFFICE: A person convicted in any state or federal court of a felony is “ineligible” to hold any public office. <i>See</i> Kan. Stat. § 21-4615(1) (prior to 1996, statute used term “disabilities”). A public officer convicted of bribery in office is “forever disqualified” from holding office, notwithstanding any expungement. <i>See</i> Kan. Stat. § 21-3901.</p>	No person can possess or obtain a license to carry a firearm if he was: (1) convicted or adjudicated (by any jurisdiction) of a “person felony” or any violation of the Uniform Controlled Substances Act; (2) within the past 10 years, convicted or adjudicated of, or released from imprisonment (including parole) for an enumerated felony that did not involve a firearm, and who has not had

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State	Misdemeanor		Felony		
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
			<p>misdemeanor. <i>See</i> 2006 Kan. Laws. ch. 210 (H.B. 2118) (May 24, 2006).</p>	<p>JURY SERVICE: A person convicted in any state or federal court of a felony is “ineligible” to serve as a juror. <i>See</i> Kan. Stat. § 21-4615(1) (prior to 1996, statute used term “disabilities”).</p> <p>RESTORATION: Automatic upon discharge of the sentence, including any period of parole. <i>See</i> Kan. Stat. § 21-4615(2), 22-3722. The parole board can also issue a certificate of discharge to someone who has been on parole for at least a year which “shall have the effect of restoring all civil rights lost by operation of law upon commitment.” <i>See</i> Kan. Stat. § 22-3722. The governor is also empowered to issue a pardon, which would presumably restore rights for even public officers who have been “forever disqualified.” <i>See</i> Kan Const. art. 1, § 7; Kan Stat. § 22-3701.</p> <p><u>Expungement.</u> Persons convicted of a misdemeanor or Class D or E felony (or traffic, cigarette or tobacco violation) may petition the court for expungement of the conviction if 3 or more years have elapsed since the person satisfied the judgment imposed or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence. <i>See</i> Kan. Stat. § 21-4619(a)(1). Enumerated vehicle and driving-related offenses require a 5 year waiting period. <i>See</i> Kan. Stat. § 21-4619(b). Class A, B or C felony and enumerated vehicle and driving-related offenses must wait 5 years to petition the court for expungement. <i>See</i> Kan. Stat. § 21-4619(b). The person must not have been convicted of a felony in the 2 years preceding the petition and have no pending charges, among other requirements. <i>See</i> Kan. Stat. § 21-4619(e). If granted, the expungement will not relieve the person of the need to comply with any state or federal laws relating to the use or possession of firearms by persons convicted of a felony. <i>See</i> Kan. Stat. § 21-4619(h)</p>	<p>the conviction expunged or been pardoned, or a “nonperson felony” involving the use of a firearm; or (3) within the past 5 years, convicted or adjudicated delinquent of, or released from imprisonment for any other felony. <i>See</i> Kan. Stat. § 21-4204(a)(2)-(4); 2006 Kan. Laws. ch. 210 (H.B. 2118) (May 24, 2006).</p> <p>From the plain language of the statute, it appears that the prohibition of firearm possession terminates 5 years after being convicted, adjudicated delinquent, or released from imprisonment for most felonies, 10 years after being convicted, adjudicated delinquent, or released from imprisonment for an enumerated felony not involving a firearm or a nonperson felony (unless pardoned or expunged), and otherwise only upon pardon (if at all). However, a license to carry a firearm (new as of Jan. 1, 2007) will not be issued to anyone with a felony conviction. <i>See</i> 2006 Kan. Laws. ch. 210, sec. 2 (H.B. 2118) (May 24, 2006).</p> <p>A certificate of discharge does not restore firearm rights. <i>See US v. Burns</i>, 934 F.2d 1157 (10th Cir. 1991). Presumably, they are restorable by pardon. <i>See</i> Kan Const. art. 1, § 7; Kan Stat. § 22-3701.</p>

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
				The following offenses are not eligible for expungement: rape; simple or aggravated indecent liberties with a child; simple or aggravated criminal sodomy; (6) simple or aggravated indecent solicitation of a child; sexual exploitation of a child; aggravated incest; endangering or abuse of a child; capital murder or murder in the first or second degree; voluntary or involuntary manslaughter; involuntary manslaughter while driving under the influence of alcohol or drugs; sexual battery when the victim was less than 18; aggravated sexual battery; driving under the influence; or any comparable offense. <i>See</i> Kan. Stat. § 21-4619(c).	
Kentucky	Offenses punishable by confinement other than in the penitentiary are misdemeanors. <i>See</i> Ky. Stat. §§ 431.060(2), 500.080(10) (“misdemeanor” means any offense with a 12-month maximum sentence), 532.020(2) (Class A misdemeanors have a 12 month maximum).	<p>VOTE: Persons convicted of whatever “high misdemeanor” the General Assembly has declared, or who are confined for some penal offense “shall not have a right to vote.” <i>See</i> Ky. Const. §145.</p> <p>HOLD OFFICE: Persons convicted of “such high misdemeanor as may be prescribed by law” are “excluded” from holding office. <i>See</i> Ky. Const. § 150. “Any person who shall have been convicted of any election law offense which is a Class A misdemeanor shall not be permitted to hold elective office for a period of five (5) years following the conviction.” <i>See</i> Ky. Stat. § 119.277.</p> <p>JURY SERVICE: None.</p> <p>RESTORATION: <u>Vote.</u> By the plain language, it would appear that the right to vote, if removed because the person is incarcerated, should be automatically reinstated upon</p>	A person will not be permitted to obtain a license to carry a concealed weapon if he has been convicted of a misdemeanor controlled substances offense or two driving under the influence offenses within 3 years of the date of the application. <i>See</i> Ken Stat § 237.110(d), (e). Same for a person convicted of either assault in the 4 th degree or terroristic threatening in the 3 rd degree within the past 3 years, although this prohibition can be waived by the State Police Commissioner. <i>See id.</i> at 237.110(h). Presumably, restoration of the right to obtain a license to carry a deadly weapon is automatic upon the running of the 3-year waiting period.	<p>VOTE: Persons convicted of a felony, or who are confined for some penal offense “shall not have a right to vote.” <i>See</i> Ky. Const. §145; Ky. Stat. § 116.025(1).</p> <p>A public officer convicted of taking a bribe is “disqualified” from the right to vote for 10 years. <i>See</i> Ky. Stat. § 432.350.</p> <p>HOLD OFFICE: “All persons shall be excluded from office who have been, or shall hereafter be, convicted of a felony, . . . but such disability may be removed by pardon of the Governor.” <i>See</i> Ky. Const. § 150. “Any person who shall have been convicted of any election law offense which is a felony shall not be permitted to hold elective office until his civil rights have been restored by executive pardon.” <i>See</i> Ky. Stat. § 119.277. A public officer convicted of taking a bribe is “disqualified” from holding public office for 10 years. <i>See</i> Ky. Stat. § 432.350.</p> <p>JURY SERVICE: A person is disqualified from sitting on a jury if she has been “previously convicted of a felony and has not been pardoned or received a restoration of civil rights by the Governor or other authorized person of the jurisdiction in which the person was convicted.” <i>See</i> Ky. Stat. § 29A.080(2)(e).</p>	A person convicted of a felony under the laws of any jurisdiction (or a minor adjudicated for what would have been a felony under the laws of Kentucky) is not permitted to possess, manufacture, or transport a firearm unless he has been granted a full pardon by the governor or president, or granted relief by the Secretary of the Department of the Treasury. <i>See</i> Ky. Stat. § 527.040(1), (3). The pardon must either be “full” or must expressly permit the person to regain firearm rights. <i>See Cheatham v. Commonwealth</i> , 131 S.W.3d 349, 351 n.3 (Ky. App. 2004).

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State	Misdemeanor		Felony		
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
		<p>release from prison. <i>See</i> Ky. Const. §145; Ky. Stat. § 116.025(1). A person may also be “restored to civil rights” by executive pardon. <i>See</i> Ky. Const. §§145, 150.</p> <p><u>Hold Office.</u> Automatic after 5 years.</p> <p>Expungement is also available for first-time convictions of misdemeanors and lesser violations. <i>See</i> Ky. Stat. § 431.078.</p>		<p>RESTORATION: <u>Vote and hold office.</u> May be “restored to civil rights” by executive pardon. <i>See</i> Ky. Const. §§ 145, 150; <i>see also</i> Ky. Stat. § 116.025(1). A person convicted of an election law felony “shall not be permitted to vote” until the right has been “restored by executive pardon.” <i>See</i> Ky. Stat. § 116.025(1); <i>see also</i> Ky. Const. § 77 (governor has pardon power).</p> <p>Pardons can be full, conditional or partial. <i>See Anderson v. Commonwealth</i>, 107 S.W.3d 193, 196 (Ky. 2003). More recent restorations of civil rights typically expressly withhold permission to possess a firearm. <i>See Cheatham v. Commonwealth</i>, 131 S.W.3d 349, 350 n.3 (Ky. App. 2004).</p> <p><u>Jury.</u> “[T]he Governor has the power to restore a felon’s ‘civil right’ to sit on a jury by granting the felon a full pardon, by order specifically restoring the right or by a general order that restores all civil rights to the felon.” <i>See Anderson v. Commonwealth</i>, 107 S.W.3d 193, 196 (Ky. 2003).</p> <p>(Expungement available only for first-time misdemeanors or lesser violations, dismissed or acquitted charges, or certain misdemeanor conviction. <i>See</i> Ky. Stat. §§ 431.076, 431.078.).</p> <p><u>Set aside.</u> Available for conviction of possession of marijuana or first conviction of possession of controlled substance upon satisfactory completion of treatment, probation, or other sentence, and issue to the person a certificate to that effect. <i>See</i> Ky. Stat. §§ 218A.275(9), 218A.276(8). Any conviction so “voided” does not count as a conviction for purposes of disqualifications or disabilities imposed by law for “conviction.” <i>See id.</i></p>	
Louisiana	Crimes classified as felonies (may be punished “by death or by imprisonment at	<p>VOTE: No loss.</p> <p>HOLD OFFICE: No loss.</p> <p>JURY SERVICE: No loss.</p>	No loss.	<p>VOTE: The right to vote “may be suspended while a person is . . . under an order of imprisonment for conviction of a felony,” La. Const. art. 1, § 10(A), which means a “sentence of confinement, whether or not suspended, whether or not the subject of the order has been</p>	Any person convicted of an enumerated felony cannot possess a firearm or carry a concealed weapon. <i>See</i> La. Re. Stat. § 14:95.1(A).

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State	Misdemeanor	Felony			
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
	<p>hard labor,” La. Code Crim. Proc. Art. 933(3)), “relative felonies” (punishable “with or without hard labor”, State v. Mosley, 425 So.2d 764, 765 & n.2 (1983)), or misdemeanors (“an offense other than a felony,” La. Code Crim. Proc. Art. 933(4)). Many misdemeanors are punishable by more than two years. See, e.g., La. Rev. Stat. § 3:4229(F) (making certain information public); La. Rev. Stat. § 14:40.2(B)(6)(a) (certain type of stalking); La. Rev. Stat. § 14:40.3(C)(2), (3) (second and subsequent cyberstalking); La. Rev. Stat. § 14:56.2(C) (criminal damage of a pipeline facility); La. Rev. Stat. § 14:95.1.1</p>			<p>placed on probation, with or without supervision, and whether or not the subject of the order has been paroled.” See La. Rev. Stat. § 18:2(8).</p> <p>HOLD OFFICE: As of 1998, a person convicted of a felony who has exhausted all legal remedies and not been pardoned or a person “under an order of imprisonment for conviction of a felony” is “not . . . permitted to qualify” to hold public office, La. Const. art. 1, § 10(B); La. Rev. Stat. § 18:451, 18:461(A)(3), except that such a person qualifies more than 15 years after service of the sentence is completed. La. Const. art. 1, § 10(C).</p> <p>JURY SERVICE: A person under indictment for or convicted of a felony for which he has not been pardoned is not “qualified” to serve as a juror. See La. R. Crim. P. art. 401(A)(5); La. Rev. Stat. § 13:3041(B).</p> <p>RESTORATION: <u>Vote.</u> Automatic: “Full rights of citizenship shall be restored upon termination of state and federal supervision following conviction for any offense.” See La. Const. art. 1, § 20. This includes the right to vote. See <i>State v. Jacobs</i>, 904 So.2d 82, 91 (La. App. Ct. 2005).</p> <p><u>Hold Office.</u> Those whose sentence was discharged before 1998 had a right to automatic restoration of the right to hold office. See La. Const. art. 1, § 20. For those whose sentence was discharged after 1998, restoration of rights occurs by pardon or automatically 15 years after completion of service of sentence. See La. Const. art. 1, § 10(B), (C).</p> <p>Respecting pardons, since 1999, a “first offender convicted of a non-violent crime, or convicted of aggravated battery, second degree battery, aggravated assault, mingling harmful substances, aggravated criminal damage to property, purse snatching, extortion, or illegal use of weapons or dangerous instrumentalities never previously convicted of a felony shall be pardoned</p>	<p>The prohibition “shall not apply to any person who has not been convicted of any felony for a period of ten years from the date of completion of sentence, probation, parole, or suspension of sentence,” and any felon “shall have the right” to apply for a permit to possess a firearm upon completion or suspension of sentence and is “entitled” to possess a firearm upon issuance of the permit. La Stat. §§ 14:95.1(C).</p>

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	<u>Civil Rights</u>	<u>Firearms Permission</u>	<u>Civil Rights</u>	<u>Firearms Permission</u>
	(illegally supplying a felon with a firearm); La. Rev. Stat. §14:125.2 (false statements concerning paternity); La. Rev. Stat. §14:134.1 (sexual conduct by an officer with a person confined); La. Rev. Stat. § 40:695(B)(1)(tampering with consumer products); La. Rev. Stat. § 51:2013 (computer crimes).			<p>automatically upon completion of his sentence, without a recommendation of the Board of Pardons and without action by the governor.” <i>See</i> La. Const. art. 4, § 5(E)(1); <i>accord</i> La. Rev. Stat. § 15:572(B)(1). Prior to 1999, the provision was not limited but applied to all first offenders who were convicted on or after 1/1/1975. “First offender” status looks to felony convictions only; misdemeanors do not count. <i>See</i> La. Rev. Stat. § 15:572(C).</p> <p>The governor may pardon those not eligible for the first offender pardon upon the favorable recommendation of the Board of Pardons. <i>See</i> La. Const. art. 4, § 5(E)(1).</p> <p><u>Jury.</u> The right to sit on a jury is not covered by La. Const. art. 1, § 20. <i>See State v. Jacobs</i>, 904 So.2d 82, 91 (La. App. 2005). That right can be restored by either a first offender or other pardon. <i>See above</i>.</p> <p><u>Set aside / expungement.</u> For a defendant convicted of a first offense non-capital felony, a court may defer imposition of the sentence and place the defendant on probation. <i>See</i> La. C. Cr. P. Art. 893(E)(1)(a). If the court determines that the defendant has concluded his probation satisfactorily, it may set the conviction aside and dismiss the prosecution. <i>See id.</i> at Art. 893(E)(2). If the conviction is dismissed, the person may thereafter petition for an order that the record of conviction be expunged. <i>See</i> La. Rev. Stat. § 44:9(E).(1)(b). An expungement restores all rights lost by the conviction. <i>See id.</i> at § 44:9(E)(1)(b), (3)(b). Expungement is not available for a sex offense involving a child under 17. <i>See id.</i> at § 44:9(E)(2). The set aside procedure is not allowed for a “crime of violence”, a sex offense involving a child under 17, a controlled substances offense punishable by more than 5 years, or a conviction for producing, manufacturing, distributing, possessing with intent, or dispensing a Schedule I-V drug, or creating, distributing, or possessing a counterfeit of a Schedule I-V drug. <i>See id.</i> at Art.</p>	

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State	Misdemeanor		Felony		
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
				<p>893(E)(1)(b); <i>see also</i> La. Stat. section 14:2(B) (defining "crime of violence" as "an offense that has, as an element, the use, attempted use, or threatened use of physical force against the person or property of another, and that, by its very nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense or an offense that involves the possession or use of a dangerous weapon").</p> <p>The same process applies to misdemeanor convictions for which imposition of sentence is deferred. <i>See</i> La. C. Cr. P. Art. 894(B). If the conviction is set aside, the record may be expunged in the discretion of the court. <i>See id.</i>; La. Rev. Stat. § 44:9(E)(3). The process is available only once within a 5 year period, except for operating a vehicle while intoxicated, which can occur only once every 10 years. <i>See</i> La. C. Cr. P. Art. 894(B)(2). It is not available for misdemeanor carnal knowledge of a juvenile, <i>see</i> La. Rev. Stat. § 14:80.1(E), and is likely not available for convictions of criminal neglect of family. <i>See</i> La. C. Cr. P. Art. 894(A) (prohibiting suspended sentences (which provide less of a benefit for defendants than deferred sentences) for criminal neglect of family).</p> <p>(Other than convictions that have been "set aside" pursuant to Art. 893 and 894, expungement is available only for arrest records of any crime charged and not prosecuted, or if the prosecution was dismissed or the defendant acquitted. La. Rev. Stat. § 44:9; <i>State v. Hodge</i>, 880 So.2d 983, 984 (La. App. 2004)).</p>	
Maine	Maine does not classify crimes as misdemeanors or felonies. Except for murder, all crimes are classified as Class A, B, C, D	<p>VOTE: No loss.</p> <p>HOLD OFFICE: No loss.</p> <p>JURY SERVICE: No loss.</p>	A person may not own, possess or have under his control a firearm if convicted under Maine law of a crime punishable by imprisonment for more than one year or committed with a dangerous weapon. <i>See</i> 15 Maine. Rev. Stat. § 393(1)(A-1)(1), (5).	<p>VOTE: No loss.</p> <p>HOLD OFFICE: No loss.</p> <p>JURY SERVICE: No loss.</p> <p>(Expungement and set aside unavailable).</p>	A person may not own, possess or have under his control a firearm if convicted under Maine law of a crime punishable by imprisonment for more than one year or committed with a dangerous weapon. <i>See</i> 15 Maine. Rev. Stat. § 393(1)(A-1)(1), (5).

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
	<p>or E “crimes.” 17-A Maine Rev. Stat. §4(1). Class D and E crimes are treated like misdemeanors: they may only be sentenced to county jail, not state prison, <i>id.</i>, § 1252(1); the statutory maximum for Class D and E crimes are less than one year and no greater than 6 months, respectively. <i>Id.</i>, § 1252(2). If committed with a dangerous weapon, the statutory maximum for Class D and E crimes increases to no greater than 5 years and less than 1 year, respectively. <i>Id.</i>, § 1252(4).</p>		<p>Such a person may apply for a permit five years after final discharge from the sentence imposed. <i>See</i> 15 Maine Rev. Stat. § 393(2).</p>		<p>Such a person may apply for a permit five years after final discharge from the sentence imposed. <i>See</i> 15 Maine Rev. Stat. § 393(2).</p> <p>The governor has the power “to remit after conviction all forfeitures and penalties, and to grant reprieves, commutations and pardons, except in cases of impeachment.” <i>See</i> Maine Const. art. 5, pt. 1, § 11.</p>
Maryland	<p>Many misdemeanors punishable by more than two years. <i>See, e.g.</i>, Md. Criminal Code §§ 3-203 (assault, 10 years), 3-204 (reckless endangerment, 5 years), 3-605</p>	<p>VOTE: The Maryland Constitution authorizes the General Assembly to “regulate or prohibit the right to vote of a person convicted of infamous or other serious crime.” Md. Const. art. 1, § 4. Until July 1, 2007, a person is “not qualified” to register to vote if she has been convicted of “theft or other infamous crime.” Md. Code, Election Law, § 3-102(b)(1).</p>	<p>A “violation classified as a misdemeanor in the State that carries a statutory penalty of more than 2 years” or any “crime of violence” is a “disqualifying crime” for purposes of possessing a “regulated firearm.” <i>See</i> Md. Code, Public Safety, §§ 5-101(g), 5-133.</p>	<p>VOTE, HOLD OFFICE, JURY SERVICE: Same as for Misdemeanors.</p> <p>RESTORATION: Vote (before July 1, 2007). For first offenders, restoration is automatic upon completion of sentence, including probation, parole, community service, restitution, and fine. Md. Code, Election Law, § 3-102(b)(1)(ii). For subsequent offenses, restoration is automatic three years after completion of sentence. <i>Id.</i> A person convicted of a second or subsequent</p>	<p>A “violation classified as a felony in the State” is a “disqualifying crime” for purposes of possessing a “regulated firearm.” <i>See</i> Md. Code, Public Safety, §§ 5-101(g), 5-133.</p> <p>Restoration by governor’s pardon. <i>See</i> Md. Code, Correctional Services, § 7-601(a)(2).</p>

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
	<p>(neglect of a vulnerable adult, 5 years), 3-802 (stalking, 5 years), 3-804 (misuse of telephone, 3 years), 5-620 (possession of drug paraphernalia, 4 years), 6-107 (threat of arson, 10 years), 8-401 (fraudulent conversion of partnership assets, 10 years), 8-516 (Medicaid fraud less than \$500, 3 years).</p>	<p>“Infamous crimes” include a wide range of crimes of moral turpitude and includes both felonies and misdemeanors. <i>See Beales v. State</i>, 619 A.2d 105, 108 (Md. 1993); <i>State v. Bixler</i>, 62 Md. 354 (Md. 1884).</p> <p>As of July 1, 2007, only a person convicted of a felony and “actually serving a court-ordered sentence of imprisonment, including any term of parole or probation, for the conviction,” is “not qualified” to vote. <i>See</i> Md. Code, Election Law, § 3-102(b)(1) (as amended by 2007 Maryland Senate Bill No. 488, Maryland 422nd (Apr. 24, 2007)).</p> <p>HOLD OFFICE: Since 1984, a person is “ineligible” for elective office if she is not a registered voter. <i>See</i> Md. Const. art. 1 § 12.</p> <p>JURY SERVICE: A person “is not qualified” to be a juror if he has been convicted in any federal or state court of a crime punishable by more than 6 months and received a sentence of imprisonment of more than 6 months. <i>See</i> Md. Code, Courts and Judicial Proceedings, § 8-103(b)(4).</p> <p>RESTORATION: Same as for a felony conviction.</p>	<p>Restoration by governor’s pardon. <i>See</i> Md. Code, Correctional Services, § 7-601(a)(2).</p>	<p>enumerated crime of violence, or of buying and selling votes, is permanently disqualified. <i>Id.</i>, § 3-102(b)(3), (c); Md. Code, Criminal Law, 14-101(a). Notwithstanding the above, the right to vote may be restored to any person who has been pardoned. <i>Id.</i>, § 3-102(b)(1)(i).</p> <p>Vote (as of July 1, 2007). Automatic upon completion of sentence of imprisonment, including parole or probation. <i>See</i> Md. Code, Election Law, § 3-102(b)(1) (as amended by 2007 Maryland Senate Bill No. 488, Maryland 422nd (Apr. 24, 2007)).</p> <p>Hold Office. Automatic upon registering to vote. Md. Code, Election Law, § 5-202.</p> <p>Jury. By pardon. <i>See</i> Md. Code, Courts and Judicial Proceedings, § 8-103 (c)..</p> <p>(Expungement available only if acquittal, dismissal, <i>nolle prosequi</i> with treatment, probation before judgment, Md. Code, Criminal Procedure, § 6-220, or full and unconditional pardon, and not convicted of a crime other than a minor traffic violation since. <i>See</i> Md. Code, Criminal Procedure, § 10-105.)</p>	
Massachusetts	<p>A crime punishable in the state prison is a felony, and all other crimes are misdemeanors.</p>	<p>VOTE: No loss.</p> <p>HOLD OFFICE: No loss.</p> <p>JURY SERVICE: A person is disqualified from jury service if she is in custody. <i>See</i> M.G.L.</p>	<p>Since 1998, neither a firearm identification card (which allows possession) nor a license to carry may be issued to anyone convicted of a misdemeanor punishable by more than 2</p>	<p>VOTE: Since 2000, persons who are “incarcerated in a correctional facility due to a felony conviction” are “excepted” from the right to vote. <i>See</i> Mass. Const. Amend. art. III; M.G.L. 51, § 1 (rev. 2001). Before then, even incarcerated felons had the right to vote. <i>See Cepulonis v. Secretary of Commonwealth</i>, 452</p>	<p>Since 1998, neither a firearm identification card (which allows possession) nor a license to carry may be issued to anyone convicted of a felony. <i>See</i> M.G.L. 140 §§ 129B(1), 131(d)(i).</p>

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
	<p>M.G.L.A. 274 § 1. A person may be sentenced to the house of correction for up to two and one half years.</p> <p>M.G.L.A. 279 § 23. There are numerous misdemeanors subject to imprisonment in the house of correction for up to two and a half years. <i>See, e.g.,</i> M.G.L.A. 265 § 13A (simple assault, assault and battery); M.G.L.A. 208 § 34C (violation of restraining order); M.G.L.A. 94C § 32C (second or subsequent Class D controlled substance offense); M.G.L.A. 6 § 178N (misuse of information in sex offender registry); M.G.L.A. 90 § 23 (operating with a suspended license); M.G.L.A. 265 § 40 (causing serious bodily</p>	<p>ch. 234A, § 4(7). The right is restored upon release from incarceration. <i>See id.</i> In addition, a person who has been convicted of a misdemeanor punishable by more than 1 year or is guilty of “gross immorality” and whose name is submitted to sit on a jury in a case “may be relieved by said justice from sitting in any case, or his name ordered by the justice to be stricken from the jury list.” <i>See</i> M.G.L. ch. 234, § 8.</p>	<p>years, a violent crime punishable by more than one year, a violation of any law regulating firearms if punishable by a term of imprisonment, or a controlled substance offense. <i>See</i> M.G.L. 140 §§ 129B(1), 131(d)(i).</p> <p>For any misdemeanor, the right to possess a non-large capacity rifle or shotgun is “deemed restored” five years after the latest of the conviction or release from confinement, probation or parole unless the crime was a violent crime or a controlled substance offense. <i>See</i> M.G.L. ch. 140 § 129B(1). There is no similar automatic restoration for a license to carry.</p> <p>Before 1998, the only potential misdemeanor conviction that could strip gun rights was a drug conviction, and the 5-year rule applied to those. <i>See</i> St. 1998, ch. 180, § 29 (July 23, 1998). Moreover, there was no restriction on the type of firearm one could obtain after the 5-year waiting period. <i>See id.; see also U.S. v. Caron</i>, 941 F. Supp. 248, 249-50 (D. Mass. 1996) ((discussing rules re: licenses to carry that are more onerous than rules re: licenses to own or possess); <i>rev’d on different grounds,</i></p>	<p>N.E.2d 1137, 1140-42 (Mass. 1983) (Commonwealth obligated to create mechanism whereby incarcerated felons can vote).</p> <p>HOLD OFFICE: A person sentenced to imprisonment in state or federal prison on a felony conviction must vacate any public office then held, but there does not appear to be any impact upon the ability to hold office in the future. <i>See</i> M.G.L. 279, § 30.</p> <p>JURY SERVICE: A person is disqualified from jury service if “convicted of a felony within the past seven years” or in custody. <i>See</i> M.G.L. ch. 234A, § 4(7).</p> <p>RESTORATION: <u>Vote.</u> Since 2001, upon release from incarceration. <i>See</i> Mass. Const. Amend. art. III; M.G.L. 51, § 1 (rev. 2001).</p> <p><u>Hold Office.</u> An office vacated by a sentence of incarceration on a felony conviction can only be restored by a pardon expressly restoring that office. <i>See</i> M.G.L. 279, § 30. Note, however, that such a pardon is only required to restore the person to the same office that she lost upon conviction. It is presumably not needed to run for new office because it does not appear that a felony conviction results in a loss of that right.</p> <p><u>Jury Service.</u> Automatic 7 years after date of conviction or upon release from prison, whichever is later. <i>See</i> M.G.L.234A, § 4(7); <i>U.S. v. Caron</i>, 941 F. Supp. 248, 245-46 (D. Mass. 1996), <i>rev’d on different grounds, Caron v. United States</i>, 524 US 308 1998).</p> <p>Also, civil rights are presumably restorable with a governor’s pardon, which results in an order to seal the record. <i>See</i> Mass. Const. pt. 2, ch. 2, § 1; art. VIII; M.G.L. 127 § 152.</p> <p>(Expungement available only for erroneous conviction. M.G.L. 258D § 7. Records may be “sealed” under certain circumstances but it is not an expungement and does not restore any civil or</p>	<p>Also since 1998, the right to possess a non-large capacity rifle or shotgun is “deemed restored” five years after the latest of the conviction or release from confinement, probation or parole unless the crime was a violent crime or a controlled substance offense. <i>See</i> M.G.L. ch. 140 § 129B(1). There is no similar automatic restoration for a license to carry.</p> <p>Before 1998, the 5-year rule applied only to felonies and controlled substance offenses. <i>See</i> St. 1998, ch. 180, § 29 (July 23, 1998). Moreover, there was no restriction on the type of firearm one could obtain after the 5-year waiting period. <i>See id; see also U.S. v. Caron</i>, 941 F. Supp. 248, 249-50 (D. Mass. 1996) (discussing rules re: licenses to carry that are more onerous than rules re: licenses to own or possess), <i>rev’d on different grounds, Caron v. United States</i>, 524 US 308 1998).</p> <p>A conviction that has been “set aside” upon approval of a pardon, the record is sealed and the sealed record does not disqualify the person in an application for any license. <i>See</i> Mass. Const. pt. 2, ch. 2, § 1; art. VIII; M.G.L. 127 § 152.</p>

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
	injury in an exercise training program).		<p><i>Caron v. United States</i>, 524 US 308 1998).</p> <p>Upon approval of a pardon, the record is sealed and the sealed record does not disqualify the person in an application for any license. <i>See</i> Mass. Const. pt. 2, ch. 2, § 1; art. VIII; M.G.L. 127 § 152.</p>	firearms rights. <i>See</i> M.G.L. 276 § 100A.)	
Michigan	No. All habitual offender statutes apply only to felonies and it does not appear that any misdemeanors punishable by more than 2 years exist.	<p>VOTE: Any person convicted of any offense and sentenced to a term in prison or jail “shall not vote, offer to vote, attempt to vote, or be permitted to vote at an election while confined.” <i>See</i> Mich. Stat. § 168.758b.</p> <p>HOLD OFFICE: No loss.</p> <p>JURY SERVICE: No loss.</p> <p>RESTORATION: Automatic upon release from confinement. <i>See</i> Mich. Stat. § 168.758b.</p>	No loss.	<p>VOTE: Any person convicted of any offense and sentenced to a term in prison or jail “shall not vote, offer to vote, attempt to vote, or be permitted to vote at an election while confined.” <i>See</i> Mich. Stat. § 168.758b.</p> <p>HOLD OFFICE: The right to run for office is tied to being a qualified and registered voter. <i>See</i> Mich. Stat. §§ 168.51, 168.71, 168.161. In addition, a felony involving a breach of public trust renders a legislative candidate “ineligible” to hold office for 20 years after the conviction, and a breach of the civil service law renders candidates for governor, lieutenant governor, and the legislature, among others, “ineligible” to hold office for 20 years after the conviction. <i>See id.</i> In addition, a felony violation of certain election laws “voids” any election and is sufficient to oust a person from office. <i>See</i> Mich. Stat. §§ 168.938, 168.932, 168.932a. Conviction for accepting a bribe while a public officer will result in a person being “forever disqualified” from holding public office, but that is the only conviction that will do so as a general matter. <i>See</i> Mich. Stat. § 750.118; <i>US v. Gilliam</i>, 778 F. Supp. 935 (E.D. Mich. 1991).</p> <p>JURY SERVICE: Since 2002, to “qualify” for jury service, a person cannot have been convicted of a felony. <i>See</i> Mich. Stat. § 600.1307a(1)(e). Before 2002, a person was not qualified for jury service only if she was under sentence for a felony at the time of jury selection.</p>	<p>A person convicted of a felony “shall not possess, use, transport, sell, purchase, carry, ship, receive, or distribute a firearm in this state until the expiration of 3 years after” successfully completing the sentence and paying all fines. <i>See</i> Mich. Stat. § 750.224f(1).</p> <p>For an enumerated felony, the waiting period is extended to 5 years and firearm rights must have already been restored by a concealed weapons licensing board, which itself also requires a 5 year waiting period. <i>See</i> Mich. Stat. §§ 750.224f(2), 28.424(1).</p> <p>Expungement and “set aside” restore firearm rights. <i>See</i> Mich. Stat. § 750.224f(4).</p> <p>In addition, a pardon will restore firearm rights unless it expressly states that it does not restore such rights, as will expunging or setting aside the conviction. <i>See</i> Mich. Stat. § 750.224f(4).</p>

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State	Misdemeanor		Felony		
	Stat max > 2 years (now or in the past)?	<u>Civil Rights</u>	<u>Firearms Permission</u>	<u>Civil Rights</u>	<u>Firearms Permission</u>
				<p>RESTORATION: <u>Vote.</u> Automatic upon release from confinement. <i>See Mich. Stat. § 168.758b.</i></p> <p><u>Hold office.</u> Automatic upon restoration of voting rights for all except those convicted of a breach of public trust or civil service laws, which require a 20-year waiting period before automatic restoration. <i>See Mich. Stat. §§ 168.51, 168.71, 168.161.</i> Presumably, disqualification from holding public office can also be undone with a pardon issued by the governor. <i>See Mich. Const. art. 5, § 14.</i></p> <p><u>Jury service.</u> Since 2002, presumably a pardon will restore jury rights. Before 2002, completion of the sentence would automatically restore jury rights.</p> <p><u>Set aside / expungement.</u> In addition to the above, a person who is convicted of not more than 1 offense may file an application with the court for the entry of an order setting aside the conviction. <i>See Mich. Stat. § 780.621(1).</i> An applicant must wait at least 5 years following imposition of the sentence for the conviction that the applicant seeks to set aside or 5 years following completion of any term of imprisonment for that conviction, whichever occurs later. <i>See id.</i> at § 780.621(3). If the application is granted, the applicant shall be considered not to have been previously convicted, although the conviction may be accessed only (1) for purposes of sex offender registration obligations, (2) to show eligibility for future set asides or when seeking pardon for subsequent offense, and (3) when determining sentence for subsequent felony convictions. <i>See id.</i> at §§ 780.622, 780.623. For purposes of this section, a “conviction” is defined as including any “judgment entered by the court” upon a plea or verdict of guilt. <i>See id.</i> at § 780.621a(a). The statute is referred to as an “expungement” statute in case law. <i>See, e.g., People v. Link</i>, 570 N.W.2d 297 (Mich. App. 1997).</p>	

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State	Misdemeanor		Felony		
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
				<p>The procedure is available only for first offenders with 1 conviction. <i>See id.</i> at §§ 780.621(4)(c), 780.624. It is not available to a person convicted of a felony for which the maximum sentence is life imprisonment, 2nd or 3rd degree criminal sexual conduct or assault with intent to commit criminal sexual conduct, or a conviction for a traffic offense. <i>See Mich. Stat. § 780.621(2).</i></p> <p>(Expungement also available for deferred prosecutions in which no judgment has entered. <i>See Mich. Stat. § 333.7411).</i></p> <p>(“Set aside” is also available for first juvenile misdemeanor adjudication. <i>See Mich. Stat. § 712A.18e(1).</i>)</p>	
Minnesota	<p>No. A “felony” is a crime for which more than 1 year may be imposed, a “misdemeanor” is punishable by no more than 90 days, and a gross misdemeanor is punishable between 90 days and 1 year. <i>See Minn. Stat. § 609.02(2)-(4); Baker v. State, 590 NW.2d 636 (Minn. 1999)</i> (no crime other than a felony can be punished by more than 1 year in prison).</p>	<p>VOTE: No loss.</p> <p>HOLD OFFICE: No loss.</p> <p>JURY SERVICE: No loss.</p>	<p>The following persons are not “entitled” to possess a firearm: those convicted of a misdemeanor or gross misdemeanor controlled substance offense or misdemeanor assault with a firearm, or one of a list of enumerated gross misdemeanors. <i>See Minn. Stat. §§ 609.224(3)(b), 624.713(1)(d), (h), (i), (k).</i></p> <p>Since 1992, most of these defendants must wait 3 years from the date of conviction to regain firearm rights, and cannot do so if he has had an additional conviction in the interim. <i>See id.</i> §§ 609.224(3)(b); 624.713(1)(h), (k). A person convicted of misdemeanor domestic assault cannot possess a firearm for 3 years after the conviction; a person who commits misdemeanor domestic assault with a firearm may be prohibited by</p>	<p>VOTE: A person who is convicted of any felony whose civil rights are not restored is “not eligible” to vote.” <i>See Minn. Const. art. VII, § 1; Minn. Stat. § 201.014(2)(a).</i></p> <p>HOLD OFFICE: A person is “eligible” to hold office, in part, if she is entitled to vote. <i>See Minn. Const. art. VII, § 6.</i> A person convicted of bribery while in office forfeits his office and is forever “disqualified” from holding public office. <i>See Minn. Stat. § 609.42(2).</i></p> <p>JURY SERVICE: A person convicted of a felony is not qualified to sit on a jury unless he has had his civil rights restored. <i>See Minn. Stat. § 808(b)(6).</i></p> <p>RESTORATION: <u>Vote.</u> Automatic upon discharge of sentence. <i>See Minn. Stat. § 609.165(1).</i></p> <p><u>Hold Office.</u> Automatic upon discharge of sentence, except for those convicted of bribery while in office, who are “forever disqualified” from holding public office. <i>See Minn. Stat. § 609.165(1), (3); 609.42(2).</i></p> <p><u>Jury Service.</u> As soon as civil rights are restored. <i>See Minn. Stat. R. 808(b)(6), § 609.165(1).</i></p>	<p>The following persons are not “entitled” to possess a firearm: those convicted or adjudicated of committing a crime of violence, or any other felony, in any jurisdiction. <i>See Minn. Stat. §§ 609B.342, 624.713(1)(b), (j)(1).</i></p> <p>Any conviction that has been expunged, or set aside, or for which a person has been pardoned or has had civil rights restored shall not be considered a conviction for purposes of the firearm prohibition, unless such pardon, expungement, or restoration of civil rights expressly provides that the person may not ship, transport, possess, or receive firearms. <i>See Minn. Stat. § 624.712(10).</i></p> <p>Restoration of firearm rights for most felons is automatic upon discharge of sentence. <i>See Minn. Stat. §§ 609.165(1),</i></p>

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
			<p>court order from possessing a firearm for any period between 3 years and life. <i>See</i> Minn. Stat. §§ 609.2242(c)-(e); 624.713(1)(i). Restoration of firearm rights is automatic upon discharge of sentence for a misdemeanor controlled substance offense. <i>See</i> Minn. Stat. § 609.165(1).</p>	<p>The governor in conjunction with the Board of Pardons has power to grant pardons, which can be conditional, absolute, or “extraordinary,” meaning that they nullify the conviction itself. <i>See</i> Minn. Const. art. V, §7; Minn. Stat. § 638.02. To obtain a pardon extraordinary, a person convicted of a crime of violence must wait 10 years after discharge of sentence and have no criminal convictions during that time; everyone else must wait 5 years and have no convictions during that time. <i>See id.</i> at § 638.02(1)-(2). Hearings are required and the decision to grant the pardon must be unanimous.</p> <p><u>Expungement</u> by petition to court is available to all offenders, although it is considered an “extraordinary remedy” that is to be granted only upon clear and convincing evidence that it would yield a benefit to the petitioner commensurate with the disadvantages to the public.” <i>See</i> Minn. Stat. § 609A.03(1), (5)(a).</p> <p>(Expungement is also available for charges that were dismissed prior to a determination of probable cause or for investigations not resulting in a charge or an indictment. <i>See</i> Minn. Stat. § 299C.11(b).).</p>	<p>624.713. Since 1993, however, a person convicted of an enumerated crime of violence cannot regain the right to ship, transport, possess or receive a firearm during his lifetime, unless he receives relief under 18 USC § 925 or receives a court order restoring such rights. <i>See</i> Minn. Stat. §§ 609.165(1a), (d). A “crime of violence” is defined as one of an enumerated list of felonies. <i>See</i> Minn. Stat. § 624.712(5).</p> <p>A person convicted of felony assault against a family or household member with a firearm may be prohibited by court order from possessing a firearm for any period between 3 years and life. <i>See</i> Minn. Stat. § 609.2242(c). It follows that the right to possess a firearm would be restored upon expiration of the order.</p> <p>An order expunging a conviction for a crime of violence must provide that the person is not entitled to ship, transport, possess, or receive a firearm for the remainder of the person's lifetime, unless restored under federal law or § 609.165(1d). <i>See</i> Minn. Stat. § 609A.03(5a).</p>
Mississippi	No. Since 1995, a “misdemeanor” has been defined by court rule as an offense that is punishable by 1	VOTE: A person convicted of murder, rape, bribery, theft, arson, obtaining money or goods under false pretense, perjury, forgery, embezzlement or bigamy in the state is not a “qualified elector” in	A person convicted of a misdemeanor crime of violence may be denied a license to carry a firearm unless 3 years have elapsed since all conditions of the court were satisfied, or unless	VOTE: A person convicted of murder, rape, bribery, theft, arson, obtaining money or goods under false pretense, perjury, forgery, embezzlement or bigamy in the state is not a “qualified elector” in Mississippi. <i>See</i> Miss. Const. art. 12, § 241; Miss. Code. §§ 23-15-11, 23-15-19. It has been held that this must apply	A person convicted of a felony in any jurisdiction cannot possess a firearm unless they have obtained relief under 18 USC § 925 or received a “certificate of rehabilitation” issued by a

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
	<p>year or less. <i>See</i> Miss. R. Crim. P. 6.01.</p>	<p>Mississippi. <i>See</i> Miss. Const. art. 12, § 241; Miss. Code §§ 23-15-11. But it has been held that this must apply only to felonies, or it would violate the Equal Protection Clause. <i>See</i> <i>McLaughlin v. City of Canton</i>, 947 F.Supp. 954 (S.D. Miss. 1995).</p> <p>HOLD OFFICE: To be “eligible” to hold office, a person must be a “qualified elector” and not have been convicted of bribery, perjury or other infamous crime. <i>See</i> Miss. Const. art. 4, § 44(1); Miss. Code §§ 23-15-299(7), 23-15-309(4). Although “infamous crime” has been interpreted to mean “punishable in the state penitentiary, <i>see</i> Miss. Code § 1-3-19, and only felonies are so punishable, <i>see id.</i> at § 1-3-11, the state Attorney General has nonetheless taken the position that misdemeanor convictions could render one disqualified to hold office. Since 1987, no person convicted of bribery, burglary, theft, arson, obtaining money or goods under false pretenses, perjury, forgery, embezzlement, or bigamy could be “allowed” to hold public office unless she had received a “full pardon.” <i>See</i> Miss. Code 99-19-35.</p> <p>JURY SERVICE: A person is not a “competent juror” if she is not a “qualified elector” or has been convicted of an infamous crime or the unlawful sale of intoxicating liquors. <i>See</i> Miss. Code § 13-5-1.</p>	<p>the conviction has been expunged. <i>See</i> Miss. Code. § 45-9-101(3).</p>	<p>only to felonies, or it would violate the Equal Protection Clause. <i>See</i> <i>McLaughlin v. City of Canton</i>, 947 F.Supp. 954 (S.D. Miss. 1995).</p> <p>HOLD OFFICE: The right to hold office is tied to the right to vote. <i>See</i> Miss. Const. art. 12, § 250 (a “qualified elector” is “eligible” for public office); Miss. Code §§ 23-15-299(7), 23-15-309(4) (a person must be a “qualified elector” to hold public office).</p> <p>No person is “eligible” to hold office who has been convicted of bribery, perjury or other infamous crime. <i>See</i> Miss. Const. art. 4, § 44(1). In addition, since 1992, no person is eligible to hold office who has been convicted of any felony, unless the person has been pardoned or was convicted of manslaughter, or a federal or state tax offense (unless the offense also involved misuse or abuse of office or funds obtained because of that office). <i>See</i> Miss. Const. art. 4, § 44(2)-(3); Miss. Code §§ 23-15-299(7), 23-15-309(4). Since 1987, no person convicted of bribery, burglary, theft, arson, obtaining money or goods under false pretenses, perjury, forgery, embezzlement, or bigamy could be “allowed” to hold public office unless she had received a “full pardon.” <i>See</i> Miss. Code 99-19-35.</p> <p>JURY SERVICE: A person is not a “competent juror” if she is not a “qualified elector” or has been convicted of an infamous crime or the unlawful sale of intoxicating liquors (within the past 5 years). <i>See</i> Miss. Code § 13-5-1. All felonies are “infamous crimes.” <i>See</i> Miss. Stat. §§ 1-3-11, 1-3-19.</p> <p>RESTORATION: “The legislature may, by a two-thirds vote of both houses, of all members elected, restore the right of suffrage to any person disqualified by reason of crime.” <i>See</i> Miss. Const. art. 12, § 253. The governor has the power to issue a pardon in any case except treason or impeachment. <i>See</i> Miss. Const. art. 5, § 124. In addition, the governor may order</p>	<p>court. <i>See</i> Miss. Code § 97-37-5(1), (3). She is also “ineligible” to obtain a license to carry a firearm unless she has been pardoned. <i>See id.</i> at § 45-9-101(2)(d). A person who is disqualified to possess or own a firearm under federal law is ineligible to obtain a license to carry a firearm under state law since 2004, as is a person who had adjudication withheld or a sentence suspended on any felony unless 3 years have elapsed from completion of all court-ordered conditions. <i>See id.</i> at § 45-9-101(2)(k)-(l).</p> <p>The right to possess a firearm can be restored by pardon, obtaining relief under 18 U.S.C. § 925(c), or applying for a certificate of rehabilitation from the court. <i>See</i> Miss. Const. art. 5, § 124; Miss. Code §§ 47-7-41, § 97-37-5(3). The Mississippi Attorney General’s Office has taken the position that an executive order cannot restore firearm rights unless it so states expressly. Although the “license to carry” statute requires a pardon by its plain language, the Attorney General has taken the position that relief under 18 U.S.C. § 925(c), which would permit a felon to possess a firearm, would also permit the state to issue a license to carry. <i>See</i> Op. Miss. Att. Gen No. 2002-0092, 2002 WL 1011176, *1 (March 8, 2002). Thus it appears that full firearm rights</p>

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
		<p>RESTORATION: <u>Vote and jury service.</u> The governor has the power to issue a pardon in any case except treason or impeachment. <i>See</i> Miss. Const. art. 5, § 124. In addition, the governor may order upon application that civil rights be restored anytime after discharge from probation. <i>See</i> Miss. Code § 47-7-41.</p> <p><u>Hold office.</u> A pardon restores the right to hold office. <i>See</i> Miss. Const. art. 4, § 44(2)-(3); Miss. Code §§ 23-15-299(7), 23-15-309(4), 99-19-35. The Mississippi Attorney General ‘s Office has taken the position that an executive order restoring rights is not the same as a pardon because it is statutory and the legislature’s power to restore rights is limited by the state Constitution to the right to vote. <i>See</i> Miss. Const. art 12, § 253. Accordingly, the AG’s opinion is that an executive order cannot restore the ability to hold office and cannot restore firearm rights unless it so states expressly.</p>		<p>upon application that civil rights be restored anytime after discharge from probation. <i>See</i> Miss. Code § 47-7-41.</p> <p><u>Hold office.</u> A pardon restores the right to hold office. <i>See</i> Miss. Const. art. 4, § 44(2)-(3); Miss. Code §§ 23-15-299(7), 23-15-309(4), 99-19-35. The Mississippi Attorney General ‘s Office has taken the position that an executive order restoring rights is not the same as a pardon because it is statutory and the legislature’s power to restore rights is limited by the state Constitution to the right to vote. <i>See</i> Miss. Const. art 12, § 253. Accordingly, the AG’s opinion is that an executive order cannot restore the ability to hold office and cannot restore firearm rights unless it so states expressly.</p> <p><u>Expungement.</u> Available only for first offender misdemeanor convictions, or upon successful completion of sentence imposed by drug court, which is available only to those (1) with no felony convictions or pending felony charges of “crimes of violence;” (2) with no prior convictions and who are not facing current charges of distributing, selling, possessing with intent to distribute, producing, manufacturing or cultivating of controlled substances; and (3) who are not facing current charges for burglary of an occupied dwelling or driving under the influence of alcohol or drugs with death resulting. <i>See</i> Miss. Stat. §§ 9-23-15(1), 9-23-23, 99-19-71.</p> <p>(Otherwise available only in cases where charge were dismissed or dropped, including deferred adjudications. <i>See</i> Miss. Stat. §§ 99-15-26, 99-15-57, 41-29-150).</p> <p>(“Set aside” is available only in the youth court for juvenile adjudications. <i>See</i> Miss. Stat. § 43-21-159(2)).</p>	<p>can be restored by the 3 means set forth in Miss. Stat. § 47-7-41 (pardon, relief under § 925(c), or certificate of rehabilitation from court).</p>
Missouri	No. A “misdemeanor” is an offense punishable by 1 year or less. <i>See</i>	VOTE: Persons convicted of a “crime connected with the exercise of the right of suffrage . . . may be excluded by law from voting.” <i>See</i> Mo. Const. art. 8 §	A permit to acquire a firearm cannot be obtained by a person who has been convicted of a crime in any jurisdiction that is classified	VOTE: Persons convicted of a felony “may be excluded by law from voting.” <i>See</i> Mo. Const. art. 8 § 2. A person serving a sentence of imprisonment,	A person may not possess a concealable firearm if she was convicted of a “dangerous felony” under Missouri law or under another jurisdiction if

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
	Mo. Stat. § 556.016(3).	<p>2. A person serving a sentence of imprisonment for any crime “shall be disqualified from registering and voting in any election.” <i>See</i> Mo. Stat. § 561.026(1). In addition, since 1982, a person convicted of a misdemeanor “connected with the exercise of the right of suffrage shall be forever disqualified from registering and voting.” <i>Id.</i> at § 561.026(2). Some election offenses are misdemeanors, <i>see</i> Mo. Stat. § 115.637, though I haven’t found a case affirmatively holding that these are “connected with the exercise of the right to suffrage” sufficient to “forever disqualify” someone.</p> <p>HOLD OFFICE: A person convicted of a crime involving dishonesty or misconduct in office forfeits his office and is “ineligible” to hold office until completing service of the sentence, including probation. <i>See</i> Mo. Stat. § 561.021(1)(2).</p> <p>JURY SERVICE: No loss.</p> <p>RESTORATION: Automatic upon final discharge from probation or parole other than for those offenses connected with the exercise of the right of suffrage. <i>See</i> Mo. Stat. §§ 115.133(2)(2), 561.021(1)(1)-(2). In such a case, a person must be pardoned by the governor to regain these rights. <i>See</i> Mo. Const. art 4, § 7; Mo. Stat. § 217.800(1).</p>	<p>by the punishing jurisdiction as a misdemeanor that either involves an explosive weapon, firearm, silencer or gas gun or is punishable by more than 2 years. <i>See</i> Mo. Stat. § 571.090(1)(2).</p> <p>Presumably, this would be remediable through a pardon from the governor. <i>See</i> Mo. Const. art 4, § 7; Mo. Stat. § 217.800(1).</p>	<p>probation or parole for any crime “shall be disqualified from registering and voting in any election.” <i>See</i> Mo. Stat. §§ 561.026(1), 115.133(2)(1)-(2). In addition, a person convicted of a felony or misdemeanor “connected with the exercise of the right of suffrage shall be forever disqualified from registering and voting.” <i>Id.</i> at §§ 561.026(2), 115.133(2)(3).</p> <p>HOLD OFFICE: A person convicted of a felony forfeits his office and is “ineligible” to hold office until completing service of the sentence, including probation. <i>See</i> Mo. Stat. § 561.021(1)(1), (2). If the felony was “connected to the exercise of the right of suffrage,” the person is “forever disqualified” from holding office. <i>See id.</i> at § 561.021(3).</p> <p>JURY SERVICE: A person convicted of any felony “shall be forever disqualified from serving as a juror.” <i>See</i> Mo. Stat. § 561.026(3).</p> <p>RESTORATION: <u>Vote and hold office.</u> Automatic upon final discharge from probation or parole for all felonies other than those connected with the exercise of the right of suffrage. <i>See</i> Mo. Stat. §§ 115.133(2)(2), 561.021(1)(1)-(2). For felonies connected with the exercise of the right of suffrage, a person must be pardoned by the governor to regain these rights. <i>See</i> Mo. Const. art 4, § 7; Mo. Stat. § 217.800(1).</p> <p><u>Jury Service.</u> By pardon only.</p> <p>(Expungement available only for certain misdemeanor convictions or ordinance violations of a first alcohol-related driving offense and certain arrest records not resulting in conviction. <i>See</i> Mo. Stat. §§ 302.545, 577.054, 610.122).</p>	<p>the offense would constitute such a felony in Missouri, or was confined for such an offense within 5 years of the date of possessing the firearm. <i>See</i> Mo. Stat. § 571.070(1)(1). Presumably automatically restored five years from conviction or release from confinement whichever is later.</p> <p>A permit to acquire a firearm may be denied by the sheriff if the applicant was convicted of a crime in any jurisdiction that is punishable by more than 1 year in prison, other than a crime classified by the punishing jurisdiction as a misdemeanor that does not involve an explosive weapon, firearm, silencer or gas gun and is punishable by 2 years or less. <i>See</i> Mo. Stat. § 571.090(1)(2).</p> <p>Presumably, this means that, if denied on the basis of the prior conviction, a person would need a pardon from the governor to acquire a firearm. <i>See</i> Mo. Const. art 4, § 7; Mo. Stat. § 217.800(1).</p>
Montana	No. A misdemeanor is	VOTE: No loss.	A permit to carry a concealed weapon may be denied if the	VOTE: A person serving a sentence in a penal institution for a felony conviction is not a	A person convicted of committing a felony with a

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
	one for which the sentence imposed is imprisonment in the county jail or one for which the sentence is imprisonment in the state prison for 1 year or less. <i>See</i> Mont. Stat. § 45-2-101(42). It does not appear that there are any statutes authorizing a sentence to the county jail for more than 1 year.	<p>HOLD OFFICE: No loss.</p> <p>JURY SERVICE: Theoretically, could be lost if a person is convicted of a misdemeanor offense of “malfeasance in office” or any other “high crime”. <i>See, e.g.</i>, Mont. Stat. § 3-10-602 (a justice of the peace who violates statutory obligations regarding the collection of fees is guilty of a misdemeanor and shall also be deemed guilty of “malfeasance in office”).</p> <p>RESTORATION: Automatic upon release or y pardon: “Full rights are restored by termination of state supervision for any offense against the state.” <i>See</i> Mont. Const. art. 2, § 28(2); see also Mont. Stat. § 46-18-801(2) (“Except as provided in the Montana constitution, if a person has been deprived of a civil or constitutional right by reason of conviction for an offense and the person’s sentence has expired or the person has been pardoned, the person is restored to all civil rights and full citizenship, the same as if the conviction had not occurred.”).</p>	<p>applicant has been convicted of a misdemeanor crime that includes as an element an act, attempted act, or threat of intentional homicide, violence, bodily or serious bodily harm, unlawful restraint, sexual abuse, or sexual intercourse or contact without consent; or carrying a concealed firearm while under the influence or in a prohibited place, unless she has been pardoned or 5 years have elapsed since the date of conviction; or has been convicted in any court of being an unlawful user of an intoxicating substance and is under some sort of stat supervision. <i>See</i> Mont. Stat. 45-8-321(1)(c)-(d), (f).</p> <p>Presumably, a pardon could permit a person to obtain a permit. <i>See</i> Mont. Stat. § 46-23-301(1)(b).</p>	<p>“qualified elector.” <i>See</i> Mont. Const. art. 4, § 2; Mont. Stat. § 13-1-111.</p> <p>HOLD OFFICE: “[N]o person convicted of a felony shall be eligible to hold office until his final discharge from state supervision.” <i>See</i> Mont. Const. art. 4, § 4.</p> <p>JURY SERVICE: A person is not “competent” to serve on a jury if he has been convicted of “malfeasance in office,” or any felony “or other high crime.” <i>See</i> Mont. Stat. § 3-15-303(2).</p> <p>RESTORATION: Automatic upon release: “Full rights are restored by termination of state supervision for any offense against the state.” <i>See</i> Mont. Const. art. 2, § 28(2); see also Mont. Stat. § 46-18-801(2) (“Except as provided in the Montana constitution, if a person has been deprived of a civil or constitutional right by reason of conviction for an offense and the person’s sentence has expired or the person has been pardoned, the person is restored to all civil rights and full citizenship, the same as if the conviction had not occurred.”).</p> <p>A “pardon” is defined as an act of clemency by the governor that “means a declaration of record that an individual is to be relieved of all legal consequences of a prior conviction.” <i>See</i> Mont. Stat. § 46-23-301(1)(b).</p> <p>(Expungement not available even for cases dismissed following deferred imposition of sentence. <i>See</i> Mont. Stat. § 46-18-204; <i>Smith v. County of Missoula</i>, 992 P.2d 834, 838 (Mont. 1999)).</p>	<p>dangerous weapon cannot possess a firearm for life. <i>See</i> Mont. Stat. §§ 45-8-313(1), 45-8-314(1). Such a person must petition the court for a permit to purchase and possess one or more firearms. The person shall show good cause for the possession of each firearm sought to be purchased and possessed.. <i>See id.</i> at § 45-8-314(2).</p> <p>A permit to carry a concealed weapon may be denied if the applicant has been convicted of a crime punishable by more than 1 year or that includes as an element an act, attempted act, or threat of intentional homicide, violence, bodily or serious bodily harm, unlawful restraint, sexual abuse, or sexual intercourse or contact without consent; or has been convicted in any court of being an unlawful user of an intoxicating substance and is under some sort of state supervision. <i>See</i> Mont. Stat. 45-8-321(1)(c), (f).</p> <p>Presumably, a pardon could permit a person to obtain a permit. <i>See</i> Mont. Stat. § 46-23-301(1)(b).</p>
Nebraska	As of 2006, an enumerated Class I misdemeanor committed for discriminatory reasons (such as criminal trespass) or	<p>VOTE: No loss.</p> <p>HOLD OFFICE: No loss.</p> <p>JURY SERVICE: No loss.</p>	No loss.	<p>VOTE: A person sentenced for any felony not reversed or annulled is “not qualified” to vote for 2 years after completing the sentence, including parole. <i>See</i> Neb. Rev. Stat. §§ 29-112, 32-313(1). The same rules apply to a person convicted of a felony in another state. <i>See id.</i> at § 29-113.</p> <p>HOLD OFFICE: A person sentenced for any</p>	<p>A felon convicted by any jurisdiction may not possess a firearm. <i>See</i> Neb. Stat. § 28-1206(1).</p> <p>Once a pardon has been granted, the Board of Pardons may empower the governor to authorize a previously</p>

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State	Misdemeanor		Felony		
	Stat max > 2 years (now or in the past)?	<u>Civil Rights</u>	<u>Firearms Permission</u>	<u>Civil Rights</u>	<u>Firearms Permission</u>
	<p>against a pregnant woman (such as domestic assault) is punishable by up to 5 years in prison. <i>See</i> Neb. Rev. Stat. §§ 28-105(1), 28-106(1), 28-111, 28-115(1), 28-323.</p>			<p>felony not reversed or annulled is “incompetent” to hold any state office. <i>See</i> Neb. Rev. Stat. § 29-112.</p> <p>JURY SERVICE: A person sentenced for any felony not reversed or annulled is “incompetent” to be a juror. <i>See</i> Neb. Rev. Stat. § 29-112.</p> <p>RESTORATION: <u>Vote.</u> Automatic upon the expiration of 2 years after completing the sentence, including parole. <i>See</i> Neb. Rev. Stat. §§ 29-112, 32-313(1).</p> <p><u>Hold Office and Jury Service.</u> Upon receipt of a pardon or a warrant of discharge from the Board of Pardons (governor, AG and Secretary of State), “in which case such person shall be restored to such civil rights and privileges as enumerated or limited by the Board of Pardons.” <i>See</i> Neb. Rev. Stat. §§ 29-112, 29-112.01; Neb. Const. art. IV, § 13. A person convicted of a felony in another state must be restored to civil rights under the law of the convicting state. <i>See id. at</i> § 29-113.</p> <p><u>Set aside / expungement.</u> A person convicted of a misdemeanor or a felony who is placed on probation or sentenced to a fine only may, after satisfactory fulfillment of the conditions of probation for the entire period or after discharge from probation prior to the termination of the period of probation and after payment of any fine, petition the sentencing court to set aside the conviction. <i>See</i> Neb. Stat. § 29-2264(2). If granted, the order “nullifies” the conviction and restores all civil rights other than firearm rights. <i>Id. at</i> § 29-2264(4); <i>State v. Illig</i>, 467 N.W.2d 375 (Neb. 1991). It is considered an “expungement” by the Nebraska courts. <i>See Illig</i>, 467 N.W.2d at 383-84.</p> <p>Otherwise, Expungement is only available if error by law enforcement agency, or of arrest records limited to law enforcement only if failure to prosecute after one year. Neb. Rev. St. § 29-3523.</p>	<p>convicted felon to receive, possess, or transport a firearm in commerce. <i>See</i> Neb. Rev. Stat. § 83-1,130(2).</p>

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
Nevada	<p>No. A misdemeanor is defined as an offense punished by a term in the county jail, and a gross misdemeanor is limited to a maximum of 1 year. <i>See Nev. Rev. Stat. § 193.120(3)-(4).</i></p>	<p>VOTE: No loss.</p> <p>HOLD OFFICE: Any public officer convicted of malfeasance in office shall forfeit his office and be disqualified from “ever afterward holding any public office.” <i>See Nev. Rev. Stat. § 197.230; see also Nev. Rev. Stat. § 252.190 (malfeasance in office by district attorney is a gross misdemeanor).</i></p> <p>JURY SERVICE: It does not appear that there is any loss of jury rights for misdemeanor convictions. Jury rights are lost for “infamous crimes,” and although the term “infamous crime” has not been defined by either the Nevada courts or the Nevada legislature, it appears to have been used mainly in regard to felony sex offenses.</p> <p>RESTORATION: A person who receives an “honorable discharge” from parole or probation is “restored” the right to hold office 4 years after that date. <i>See Nev. Rev. Stat. §§ 176A.850(3)(c), (4); 213.155(1)(b), (2).</i></p> <p>In addition, “[a] person who is granted a full, unconditional pardon by the Board is restored to all civil rights and is relieved of all disabilities incurred upon conviction.” <i>See Nev. Rev. Stat. § 213.090(1).</i> A pardon is considered a full pardon unless it is expressly limited by its terms. <i>See id.</i> at 213.090(2). Sealing a record will also immediately restore the right to hold office.</p>	<p>No loss.</p>	<p>VOTE: No person who has been convicted of a felony in any jurisdiction “shall be entitled to the privilege of an elector” unless civil rights have been restored. <i>See Nev. Const. art. 2, § 1.</i> A person’s registration must be cancelled upon conviction of a felony unless the right to vote has been restored pursuant to Nevada statutory mechanisms or under the laws of the state in which the person was convicted. <i>See Nev. Rev. Stat. § 293.540(3).</i></p> <p>HOLD OFFICE: No person is “eligible” to hold office who is not a “qualified elector.” <i>See Nev. Const. art. 15, § 3(1); Nev. Stat. § 281.040.</i> Any public officer convicted of a felony or malfeasance in office shall forfeit his office and be disqualified from “ever afterward holding any public office.” <i>See Nev. Rev. Stat. § 197.230.</i></p> <p>JURY SERVICE: A juror must be a “qualified elector” who has not been convicted of treason, a felony or other infamous crime. <i>See Nev. Rev. Stat. § 6.010.</i> A person convicted of a felony is not a qualified juror until his civil rights have been restored.</p> <p>RESTORATION: <u>Vote.</u> A person who was not convicted of a felony categorized as Category A, Category B involving force or violence that resulted in substantial bodily harm to the victim, two or more prior felonies if unrelated, and who receives an “honorable discharge” from parole or probation is “immediately restored” to the right to vote and to serve as a juror in a civil action. <i>See Nev. Rev. Stat. §§ 176A.850(3)(b)(1), (4); 213.155(1)(a), (2).</i> If within one of the above categories, a person must petition the court for restoration of civil rights. <i>See id.</i> at §§ 176A.850(4), 213.155(2). All of the above is the same for a person released directly from prison. <i>See Nev. Rev. Stat. § 213.157.</i></p> <p><u>Hold Office.</u> A person who was not convicted of a felony categorized as Category A, Category B involving force or violence that resulted in</p>	<p>A person convicted of a felony in any jurisdiction cannot own, possess or exercise custody or control over a firearm unless he has been pardoned and the pardon does not restrict his right to bear arms. <i>See Nev. Rev. Stat. § 202.360(1)(a).</i></p> <p>“A person who is granted a full, unconditional pardon by the Board is restored to all civil rights and is relieved of all disabilities incurred upon conviction.” <i>See Nev. Rev. Stat. § 213.090(1).</i> A pardon is considered a full pardon unless it is expressly limited by its terms. <i>See id.</i> at 213.090(2).</p>

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State	Misdemeanor		Felony		
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
		<p><i>See Nev. Rev. Stat. § 179.285(1)(b).</i></p>		<p>substantial bodily harm to the victim, two or more prior felonies if unrelated, and who receives an “honorable discharge” from parole or probation is “restored” the right to hold office 4 years after that date. <i>See Nev. Rev. Stat. §§ 176A.850(3)(c), (4); 213.155(1)(b), (2).</i> If within one of the above categories, a person must petition the court for restoration of civil rights. <i>See id.</i> at §§ 176A.850(4); 213.155(2). All of the above is the same for a person released directly from prison. <i>See Nev. Rev. Stat. § 213.157.</i></p> <p>Jury Service. A person who was not convicted of a felony categorized as Category A, Category B involving force or violence that resulted in substantial bodily harm to the victim, two or more prior felonies if unrelated, and who receives an “honorable discharge” from parole or probation is “immediately restored” the right to serve as a juror in a civil action and is “restored” the right to serve as a juror in a criminal action 6 years after that date. <i>See Nev. Rev. Stat. §§ 176A.850(3)(b)(2), (d), (4); 213.155(1)(a), (c).</i> If within one of the above categories, a person must petition the court for restoration of civil rights. <i>See id.</i> at §§ 176A.850(4); 213.155(2). All of the above is the same for a person released directly from prison. <i>See Nev. Rev. Stat. § 213.157.</i></p> <p>“A person who is granted a full, unconditional pardon by the Board is restored to all civil rights and is relieved of all disabilities incurred upon conviction.” <i>See Nev. Rev. Stat. § 213.090(1).</i> A pardon is considered a full pardon unless it is expressly limited by its terms. <i>See id.</i> at 213.090(2).</p> <p>Sealing a record will also immediately restore the rights to vote, hold office or serve on a jury. <i>See Nev. Rev. Stat. § 179.285(1)(b).</i></p> <p>(Expungement and set aside not available).</p>	
New Hampshire	Yes. Any misdemeanor punished by an	<p>VOTE: No loss.</p> <p>HOLD OFFICE: No loss.</p>	No loss.	<p>VOTE: A person sentenced for a felony may not vote from the time of sentence until his discharge (including both incarceration and</p>	A person convicted in any jurisdiction of a felony against the person or property of

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State	Misdemeanor		Felony		
	Stat max > 2 years (now or in the past)?	<u>Civil Rights</u>	<u>Firearms Permission</u>	<u>Civil Rights</u>	<u>Firearms Permission</u>
	extended term of imprisonment carries a maximum term of imprisonment of 5 years. <i>See</i> N.H. Rev. Stat. § 651:6(III)(b).	JURY SERVICE: No loss.		<p>terms of probation) but if execution of the sentence is suspended or he is placed on parole, he may vote during that time. <i>See</i> N.H. Rev. Stat. § 607-A:2(I)(a). The right is considered “forfeit.” <i>See</i> N.H. Rev. Stat. § 654:5.</p> <p>HOLD OFFICE: A person sentenced for a felony may not become a candidate for or hold public office from the time of his sentence until his discharge. <i>See</i> N.H. Rev. Stat. § 607-A:2(I)(b). A felony conviction will forfeit any public office currently held, unless the conviction is reversed at which time the person will be “restored” to office. <i>See id.</i> at § 607-A:2(II). The right is considered “forfeit.” <i>See</i> N.H. Rev. Stat. § 654:5.</p> <p>JURY SERVICE: As of 1999, “[a] juror shall not have been convicted of any felony which has not been annulled or which is not eligible for annulment under New Hampshire law.” <i>See</i> N.H. Rev. Stat. § 500-A:7-a(V). Prior to 1999, there was no limitation on jury service for convicted felons.</p> <p>RESTORATION: <u>Vote and Hold office.</u> Automatic upon release (vote) or discharge (hold office) if convicted in New Hampshire. <i>See</i> N.H. Rev. Stat. § 607-A:5 (rights to vote and to hold office “are thereby restored”). If convicted in another state with a similar restoration act, the certificate of discharge will operate to restore rights in New Hampshire as well. Otherwise, the governor can issue a certificate to that effect upon proof that the sentence has been discharged. <i>Id.</i> at § 607-A:5(II)-(III).</p> <p><u>Jury Service.</u> A person may obtain annulment of the conviction from the sentencing court after successfully completing all terms and conditions of the sentence and waiting the relevant time period. <i>See</i> N.H. Rev. Stat. § 651:5(III). An annulment cannot be granted for a violent crime, obstruction of justice, or an offense punished with an extended term of imprisonment. <i>See</i> N.H. Rev. Stat. § 651:5(V). A person whose</p>	<p>another, or a felony relating to controlled drugs cannot own, possess or exercise control over a firearm. <i>See</i> N.H. Rev. Stat. § 159:3(I).</p> <p>Presumably, these rights could be regained through a pardon or, if a controlled substance offense, through an annulment. <i>See</i> N.H. Const. pt. 2, art. 52; N.H. Rev. Stat. §§ 4:25; 651:5(III), (V), (X).</p>

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
				<p>record is annulled is treated in all respects as if he had never been arrested, convicted or sentenced. <i>See id.</i> at § 651:5(X)(a). The effect of the annulment statute is to “expunge” the conviction. <i>See State v. Meister</i>, 480 A.2d 200, 203, 04 (N.H. 1984) (reviewing legislative history); <i>see also Panas v. Harakis</i>, 529 A.2d 976, 988 (N.H. 1987) (annulment “erases” the conviction).</p> <p>Additionally, habitual offender records for motor vehicle convictions may theoretically be expunged after 7 years, N.H. Rev. Stat. § 262:19, though no separate provision permitting such an expungement appears to exist.</p> <p>In addition, the governor can issue a full or conditional pardon. <i>See</i> N.H. Const. pt. 2, art. 52; N.H. Rev. Stat. § 4-25.</p>	
New Jersey	<p>Since 1979, New Jersey does not classify crimes as misdemeanors or felonies, but as crimes of the first, second, third or fourth degree, subject to statutory maxima of 20, 10, 5 years, and 18 months respectively, or as a “disorderly persons” offense, subject to a maximum penalty of 6 months. However, a crime defined in any statute outside the criminal code as a “high</p>	<p>VOTE: A person is “disqualified” from voting if serving a sentence of imprisonment or on parole or probation for an indictable offense. <i>See</i> N.J. Stat. Ann. §§ 2C:51-3(a); 19:4-1(8). An indictable offense includes any “crime,” which does not include offenses with a maximum penalty of 6 months or less, which are “disorderly persons offenses.” <i>See</i> N.J. Const. art. 1, ¶ 8; N.J. Stat. Ann. § 2C:1-4(a)./Automatic restoration by completion of imprisonment, probation or parole.</p> <p>A person is also “disqualified” from voting if convicted of an election laws offense for loss of the right to vote was imposed as part of the criminal penalty, and is restored by pardon or by law to the right of suffrage. <i>See</i> N.J. Stat. Ann. §§ 2C:51-3(a), 19:401(6), (7).</p>	<p>A person convicted in any jurisdiction of an enumerated crime, which includes some 3rd and 4th degree crimes, or a disorderly persons offense involving domestic violence may not purchase, own, possess or control a firearm. <i>See</i> N.J. Stat. Ann. § 2C:39-7. A person convicted of any crime, or a disorderly persons offense involving domestic violence, will be denied a handgun purchase permit and firearms purchaser identification card. <i>See</i> 2C:58-3(c)(1), 2C:58-4(c).</p> <p>A person may apply to the Governor for restoration of civil rights or privileges (other than disqualification from public office by impeachment). <i>See</i> N.J. Stat. Ann. § 2A:167-5. A governor’s pardon can also restore firearm rights. <i>See</i></p>	<p>VOTE: A person is “disqualified” from voting if serving a sentence of imprisonment or on parole or probation for an indictable offense. /Automatic restoration by completion of imprisonment, probation or parole. <i>See</i> N.J. Stat. Ann. §§ 2C:51-3(a); 19:4-1(8).</p> <p>A person is also disqualified from voting if convicted of an election laws offense for which a criminal penalty was imposed, part of which was deprivation of the right to vote. Restoration by pardon or by law to the right of suffrage. <i>See</i> N.J. Stat. Ann. §§ 2C:51-3(a); 19:4-1(6), (7).</p> <p>HOLD OFFICE: A person “forfeits” his public office if convicted of an offense involving dishonesty, or a crime of the 3rd degree or above (whether under NJ law or another state’s law that would constitute such a crime under NJ law), or an offense “touching” his office or public employment, meaning (as of April 14, 2007) that it was directly related to the person’s performance of or circumstances flowing from her duties or employment. <i>See</i> N.J. Stat. Ann. § 2C:51-2(a) (1). If the latter circumstance, the person is “forever disqualified” from holding public office. <i>Id.</i> at § 2C:51-2(d). It does not appear that anyone else loses the right to hold</p>	<p>A person convicted in any jurisdiction of enumerated crimes may not purchase, own, possess or control a firearm. <i>See</i> N.J. Stat. Ann. § 2C:39-7. A person convicted of any crime will be denied a handgun purchase permit and firearms purchaser identification card. <i>See id.</i> 2C:58-3(c)(1), 2C:58-4(c).</p> <p>A person may apply to the Governor for restoration of civil rights or privileges (other than disqualification from public office by impeachment). <i>See</i> N.J. Stat. Ann. § 2A:167-5. A governor’s pardon can also restore firearm rights. <i>See</i> N.J. Const. art. V, § 2, ¶ 1.</p>

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State	Misdemeanor		Felony			
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission	
	<p>misdemeanor” is a crime in the third degree, or as a “misdemeanor” is a crime in the fourth degree. <i>See</i> N.J. Stat. Ann. §§ 2C:1-4; 2C:43-1; 2C:43-6(a). An “extended term” is authorized for aggravating factors, increasing the maximum to 10 years for a 3rd degree offense and to 5 years for a 4th degree offense. <i>See</i> N.J. Stat. Ann. § 2C:43-7(a)(4)-(5)</p> <p>(Provisions of N.J. Stat. § 2C:43-6 requiring a mandatory increase based on judicial factfinding held unconstitutional in <i>State v. Franklin</i>, 878 A.2d 757 (N.J. 2005).)</p>	<p>HOLD OFFICE: A public office is “forfeit” if convicted of an offense involving dishonesty, or a crime of the 3rd degree or above, or an offense “touching” the office or public employment, meaning (as of April 14, 2007) directly related to the person’s performance of or circumstances flowing from her duties or employment. <i>See</i> N.J. Stat. Ann. § 2C:51-2(a) (1). If the latter circumstance, the person is “forever disqualified” from holding public office. <i>Id.</i> at § 2C:51-2(d). This encompasses even offenses that are not “crimes.” <i>See id.</i> at § 2C:51-2(e) (court permitted to waive forfeiture or disqualification for persons convicted of “disorderly persons offense”). It does not appear that anyone else loses the right forever.</p> <p>May apply to the governor for a restoration of rights (other than disqualification from office for impeachment). <i>See</i> N.J. Stat. Ann. § 2A:167-5. The governor also has power to pardon. <i>See</i> N.J. Const. art. V, § 2, ¶ 1. A full pardon will restore the right to hold office in the future. <i>See Brezizecki v. Gregorio</i>, 588 A.2d 453, 458 (N.J. Super. 1990).</p> <p>JURY SERVICE: A person convicted of an indictable offense (i.e., any crime but not a “disorderly persons offense”) is disqualified from serving as a juror. <i>See</i> N.J. Stat. Ann. §§ 2C:51-3(b), 2B:20-1(e). May apply to the governor for restoration of rights. <i>See</i> N.J.</p>	N.J. Const. art. V, § 2, ¶ 1.	<p>office forever.</p> <p>May apply to the governor for a restoration of rights (other than disqualification from office for impeachment). <i>See</i> N.J. Stat. Ann. § 2A:167-5. The governor also has power to pardon. <i>See</i> N.J. Const. art. V, § 2, ¶ 1. A full pardon will restore the right to hold office in the future. <i>See Brezizecki v. Gregorio</i>, 588 A.2d 453, 458 (N.J. Super. 1990).</p> <p>JURY SERVICE: A person convicted of an indictable offense (i.e., any crime) is disqualified from serving as a juror. <i>See</i> N.J. Stat. Ann. §§ 2C:51-3(b); 2B:20-1(e); N.J. Court R. 3:7-2. May apply to the governor for a restoration of rights (other than disqualification from office for impeachment). <i>See</i> N.J. Stat. Ann. § 2A:167-5. The governor also has power to pardon. <i>See</i> N.J. Const. art. V, § 2, ¶ 1.</p> <p><u>Expungement</u> available if:</p> <ul style="list-style-type: none"> -no prior or subsequent conviction or adjudication of being a disorderly person on more than two occasions; -10 years from the latest of date of conviction, payment of fine, satisfactory completion of probation or parole, or release from incarceration; -Not available for murder, manslaughter, treason, anarchy, kidnapping, rape, forcible sodomy, arson, perjury, false swearing, robbery, embracery, aggravated sexual contact, sexual contact if victim a minor, criminal restraint, false imprisonment, engaging in sexual conduct which would impair or debauch the morals of the child, endangering the welfare of a child, any crime committed by a person holding any public office, position or employment if the crime involved or touched such office, position or employment, drug trafficking unless small amount of marijuana or hashish. -Not available if prior expungement. <p>N.J. Stat. Ann. §§ 2C:52-2, 2C:52-14.</p>		

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State	Misdemeanor		Felony		
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
		Stat. Ann. § 2A:167-5. The governor also has power to pardon. <i>See</i> N.J. Const. art. V, § 2, ¶ 1.			
New Mexico	None. The maximum term of imprisonment upon conviction of a misdemeanor is one year. <i>See</i> N.M. Stat. Ann. § 30-1-6	No civil rights lost upon conviction of a misdemeanor.	<p>FIREARMS: A “felon” is prohibited from receiving, transporting, or possessing any firearm. N.M. Stat. Ann. § 30-7-16.</p> <p>(Before 2001, “felon” was defined to mean a person “convicted . . . to a sentence of one or more years imprisonment.” N.M. Stat. Ann. § 30-7-16(C)(2) (2000). This would cover persons convicted of misdemeanors and sentenced to one year (in any state) or more than one year in states that have misdemeanors punishable by more than one year. The current definition only applies to offenses that are “felonies.” N.M. Stat. Ann. § 30-7-16(C)(2).)</p>	<p>VOTE: Persons convicted of “a felonious or infamous crime” are not qualified to vote unless civil rights have been restored. N.M. Const. art. VII, § 1. “Infamous crime” is not defined or explained in any statute or case, but is treated by statute to mean only felonies. <i>See</i> N.M. Stat. Ann. § 31-13-1.</p> <p>The right to vote is restored automatically upon unconditional discharge from a correctional facility or upon completing the terms of a suspended or deferred sentence. <i>Id.</i> § 31-13-1(A). Upon serving the entirety of the sentence, including probation or parole, the person “shall be issued a certificate of completion by the corrections department. <i>Id.</i> § 31-13-1(C). Upon issuance, the corrections department shall inform the person that s/he is entitled to register to vote, and the certificate must state that the person’s voting rights are restored. <i>Id.</i></p> <p>[Before 2001, a person’s right to vote could only be restored by a pardon by the Governor or a certificate issued by the Governor restoring the person’s full rights of citizenship. N.M. Stat. Ann. § 31-13-1 (2000), amended by 2001 N.M. Laws ch. 46, sec. 2 [S.B. No. 204] (eff. July 1, 2001).]</p> <p>HOLD OFFICE: Only “qualified electors” are qualified to hold office. N.M. Const. art. VII, § 2. As a result, persons convicted of felonies lose the right to hold office unless civil rights have been restored. N.M. Stat. Ann. § 10-1-2.</p> <p>The right to hold office is restored only by presenting a certificate verifying completion of sentence to the Governor and then receiving a certificate issued by the Governor restoring the person’s full rights of citizenship, or a pardon. N.M. Stat. Ann. § 31-13-1.</p>	<p>FIREARMS: A “felon” is prohibited from receiving, transporting, or possessing any firearm. N.M. Stat. Ann. § 30-7-16. “Felon” is defined to mean “a person convicted of a felony offense by a court of the United States or of any state or political receiving a certificate issued by the Governor restoring the person’s full rights of citizenship, or a pardon. N.M. Stat. Ann. § 31-13-1, OR the person has been pardoned or received a deferred sentence. N.M. Stat. Ann. § 30-7-16(C)(2). In other words, the firearm rights of a person with a standing felony conviction are restored automatically after ten years have passed.</p> <p>Firearms rights can also be restored by pardon (for New Mexico offenses only), which must contain an express restoration of firearms rights. Op. N.M. Att’y Gen. No. 9209 (1992).</p> <p>Firearms rights are also restored when the sentence is deferred and the charge dismissed under N.M. Stat. Ann. § 31-20-9.</p> <p>Note: Before 2001, “felon” was defined to mean a person convicted to a sentence of one or more years. N.M. Stat.</p>

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
				<p>SIT ON JURY: A person who was convicted of a felony may not be summoned for jury service unless the person has successfully completed all conditions of the sentence imposed for the felony, including conditions for probation or parole. N.M. Stat. Ann. § 38-5-1.</p> <p>Before 2006, the right was lost permanently. N.M. Stat. Ann. § 38-5-1 (2005). Presumably, the person could have petitioned the Governor for a pardon or a certificate restoring the person’s full rights of citizenship.</p> <p>(Expungement and set aside not available).</p>	<p>Ann. § 30-7-16(C)(2) (2000). This was interpreted to mean that the person must have actually been sentenced to one or more years, not just the court having the authority to do so. <i>State v. Sundeen</i>, 17 P.3d 1019 (N.M. 2001). This would cover persons convicted of misdemeanors and sentenced to one year (in any state) or more than one year in states that have misdemeanors punishable by more than one year. The current definition only applies to offenses that are “felonies.”</p>
New York	<p>None. “Misdemeanor” means an offense, other than a “traffic infraction,” for which a sentence to a term of imprisonment in excess of fifteen days may be imposed, but for which a sentence to a term of imprisonment in excess of one year cannot be imposed.” N.Y. Penal Code § 10.00(4).</p>	<p>HOLD OFFICE: A person convicted of a “crime involving a violation of his oath of office” forfeits his office, but does not appear to be restricted from holding future office. N.Y. Pub. Off. Law § 30(1); N.Y. Op. Att’y Gen No. 83-60 (1983).</p> <p>This applies to misdemeanor convictions that “arise from knowing or intentional conduct indicative of a lack of moral integrity. We have not had occasion to define what specific offenses constitute crimes implicating ‘moral integrity’, and it may be impossible to demarcate the precise boundaries of the term, but we note that ‘integrity’ has been defined as ‘freedom from every biasing or corrupt influence or motive.’” <i>Duffy v. Ward</i>, 612 N.E.2d 121, 135 (N.Y. 1993).</p>	<p>FIREARMS: A person convicted of a “serious offense” is prohibited from possessing a rifle or shotgun. N.Y. Penal Law § 265.01. A “serious offense” is defined as certain specified offenses, N.Y. Penal Law § 265.00(17), which includes some misdemeanors, such as jostling, N.Y. Penal Code § 165.25 (Class A misdemeanor), possessing burglar’s tools, N.Y. Penal Code § 140.35 (Class A misdemeanor), fraudulent accosting, N.Y. Penal Code § 165.30 (Class A misdemeanor), permitting prostitution, N.Y. Penal Code § 230.40 (Class B misdemeanor), and obscenity in the third degree, N.Y. Penal Code § 235.05 (Class A misdemeanor).</p> <p>A Certificate of Relief from</p>	<p>VOTE: “No person who has been convicted of a felony pursuant to the laws of [New York] law shall have the right to register or vote at any election unless he shall have been pardoned or restored to the rights of citizenship by the governor, or his maximum sentence has expired, or he has been discharged from parole.” N.Y. Elec. Laws § 5-106(2); <i>see also id.</i> § 5-106(3) (federal conviction); <i>id.</i> § 5-106(4) (out-of-state conviction). The disability does not apply to persons who are not sentenced to death or imprisonment, or if a sentence of imprisonment is suspended. <i>Id.</i> § 5-106(5).</p> <p>HOLD OFFICE: A person convicted of a felony “or a crime involving a violation of his oath of office” is automatically vacated from any public office. N.Y. Pub. Off. Law § 30(1). The person is not disqualified from running for <i>future</i> office. <i>See</i> N.Y. Op. Att’y Gen No. 83-60 (1983).</p> <p>A Certificate of Good Conduct from the Board of Parole is sufficient to remove the disability, N.Y. Correct. Law § 703-a, 703-b. A Certificate of Good Conduct is available from the Board of Parole for persons with multiple convictions after</p>	<p>FIREARMS: Under N.Y. Penal Law § 400.00, individuals convicted “anywhere of a felony” may not be issued a firearms license (applicable to firearms dealers generally and to pistols and revolvers for others). A person convicted of a felony “or serious offense” is further prohibited from possessing a rifle or shotgun. N.Y. Penal Law § 265.01(4).</p> <p>A “serious offense” is defined in N.Y. Penal Code § 265.00(17) as:</p> <p>(a) specified offenses under the former penal code (before Sept. 1, 1967), including illegally using, carrying or possessing a pistol or other dangerous weapon; making or possessing burglar’s instruments; buying or receiving stolen property;</p>

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
		<p>A Certificate of Good Conduct appears to be sufficient to remove the disability. N.Y. Correct. Law § 703-a, 703-b.</p>	<p>Disabilities may expressly restore firearms rights. N.Y. Correct. Law §§ 700(1)(a), 701(1). In <i>In re Alarie</i>, the court of appeals held that a Certificate of Relief from Civil Disabilities, without a special notation regarding pistols or handguns, did not remove the statutory bar from obtaining a license to carry a pistol: “We decline to follow the <i>dicta</i> of the court in <i>People v Flook</i> (164 Misc 2d 284 [1995]) opining that a certificate of relief from civil disabilities issued by a County Court may remove the statutory bar to apply for or receive a New York State pistol license. However, this court finds as a matter of law that a convicted felon who has been granted a certificate of relief under Correction Law § 701 may own and possess any firearm except those firearms requiring a New York State pistol permit (Penal Law § 400.00) or otherwise deemed illegal to possess by State law. [] Therefore, this court holds that the applicants herein, by virtue of their respective certificates of relief, may own, possess and use long guns (shotguns and rifles) legally allowed for hunting in the State of New York.” 643 N.Y.S.2d 926, 927 (N.Y. Sup. Ct. 1996).</p>	<p>a waiting period of three to five years, depending on the seriousness of the offense. N.Y. Correct. Law §§ 703-b(3). [Another form of restoration, a Certificate of Relief from Disabilities, is for persons with only one felony offense and any number of misdemeanors, and is available by applying to the sentencing court or the Board of Parole, but is specifically <i>not available</i> to restore the right to hold public office. . N.Y. Correct. Law § 701(1).].</p> <p>SIT ON JURY: A person convicted of a felony is not qualified to sit on a jury. N.Y. Jud. Law §510(3). The disability can be removed (1) by pardon, N.Y. Const. art. 4, § 4, or (2) if not convicted more than once of a felony, by a Certificate of Relief from Disabilities from the sentencing court if not committed to prison, or from the Board of Parole upon release, or (3) a Certificate of Good Conduct from the Board of Parole after a waiting period of three or five years. <i>See</i> N.Y. Correct. Law §§ 700-705, 703-a, 703-b.</p> <p>(Expungement not available for convictions. <i>See Rodriguez v. Johnson</i>, 4 A.D.3d 216, 216-17 (N.Y. Sup. Ct., App. Div. 2004)).</p>	<p>unlawful entry of a building; aiding escape from prison; that kind of disorderly conduct; criminal sexual act or rape which was designated as a misdemeanor; misdemeanor offenses relating to narcotic drugs, and</p> <p>(b) any of the following offenses defined in the current penal law: illegally using, carrying or possessing a pistol or other dangerous weapon; possession of burglar’s tools; criminal possession of stolen property in the third degree; escape in the third degree; jostling; fraudulent accosting; that kind of loitering defined in subdivision three of section 240.35; endangering the welfare of a child; the offenses defined in article two hundred thirty-five; issuing abortifloral articles; permitting prostitution in the third degree; stalking in the fourth degree; stalking in the third degree;[stalking in the third degree; stalking in the fourth degree;] the offenses defined in article one hundred thirty; the offenses defined in article two hundred twenty.</p> <p>Many of these offenses are misdemeanors, <i>see</i> New York Misdemeanor Firearms Column.</p> <p>A Certificate of Relief from Disabilities or of Good Conduct may expressly restore firearms rights. N.Y. Correct. Law §§ 700(1)(a),</p>

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
					701(1), 703-a; <i>In re Alarie</i> , 643 N.Y.S.2d 926, 927 (N.Y. Sup. Ct. 1996); 25A West's McKinney's Forms Correction Law § 703 Form 1 (application for a certificate of relief from disabilities or good conduct).
North Carolina	None. An unclassified misdemeanor is a Class 1 misdemeanor if it is punishable by a term of imprisonment more than six months, but there are no misdemeanors with a maximum punishment more than two years.	A person does not lose civil rights upon conviction of a misdemeanor.	<p>FIREARMS: A person convicted of a misdemeanor does not lose the right to possess a firearm. However, no permit to carry a concealed weapon will be issued to persons who have been adjudicated guilty of or received a prayer for judgment continued or suspended sentence for one or more crimes of violence constituting a misdemeanor, including but not limited to, a violation of a misdemeanor under Article 8 of Chapter 14 of the General Statutes;</p> <p>OR a violation of certain specified misdemeanors such as stalking, N.C. Gen. Stat. § 277.3, riot, N.C. Gen. Stat. § 14-288.2, and harassment of jurors, N.C. Gen. Stat. § 14-225.2;</p> <p>OR</p> <p>have been convicted of a misdemeanor impaired driving offense under G.S. 20-138.1, 20-138.2, or 20-138.3 within three years prior to the date on which the application is submitted.</p> <p>N.C. Gen. Stat. § 14-415.12.</p>	<p>The rights to</p> <p>VOTE, N.C. Const. art. VI, §2(3) (“not permitted”),</p> <p>HOLD OFFICE, N.C. Const. art. VI, § 8 (“disqualified”),</p> <p>AND SIT ON A JURY, N.C. Gen. Stat. § 9-3 (“disqualified”),</p> <p>are lost upon conviction of a felony.</p> <p>These rights are “automatically restored” upon (1) the unconditional discharge of an inmate by the State Department of Correction or the North Carolina Department of Correction, of a probationer by the State Department of Correction, or of a parolee by the Department of Correction; or of a defendant under a suspended sentence by the court; (2) the unconditional pardon of the offender; (3) the satisfaction by the person of all conditions of a conditional pardon. <i>See</i> N.C. Gen. Stat. § 13-1. The agent having jurisdiction over the person must file with the court a certificate evidencing unconditional discharge. N.C. Gen. Stat. § 13-2.</p> <p>(Expungement available only for dismissed or acquitted charges, deferred adjudications, certain first offender misdemeanor convictions if offender is under 17 or 21, depending on conviction, or if person receives a “pardon of innocence.” <i>See</i> N.C. Gen. Stat. §§ 15A-145, 15A-146m, 15A-149, 90-96).</p>	<p>FIREARMS: A person with a felony conviction occurring on or after Dec. 1, 1995 may not possess any firearm. N.C. Gen. Stat. § 14-415.1(b)(1). The only mechanism to restore the right is by unconditional pardon by the governor. N.C. Const. art. III, § 5(6) (pardon power).</p> <p>Before August 12, 2004, a person convicted of a felony was prohibited from possessing only handguns and short-barreled shotguns. N.C. Gen. Stat. § 14-415.1(b) (2003), <i>amended by</i> 2004 N.C. Sess. Laws ch. 186, sec. 14.1 (Aug. 12, 2004). In addition, a person convicted of a felony was not prohibited from possessing a firearm within his or her own home or lawful place of business. <i>Id.</i></p>

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
North Dakota	None. The maximum sentence for a misdemeanor is one year. N.D. Cent. Code § 12.1-32-01.	No civil rights are lost upon conviction of a misdemeanor.	<p>FIREARMS: A person who has been convicted of a class A misdemeanor involving violence or intimidation and that crime was committed while using or possessing a firearm or dangerous weapon, in violation of chapters 12.1-16 through 12.1-25 <i>or an equivalent offense from another state or federal government</i> is prohibited from owning a firearm or having one in possession or under control from the date of conviction and continuing for a period of five years after the date of conviction or release from incarceration or probation, whichever is latest. N.D. Cent. Code § 62.1-02-01(2).</p> <p>On March 7, 2007, the statute was amended to add the italicized language above, and to add that the waiting period would not begin until release from incarceration, <i>parole</i>, or probation, whichever is latest. See 2007 N.D. SB 2213.</p>	<p>VOTE: The right to vote is “lost” when a person convicted of a felony and sentenced to imprisonment, but only during the term of “actual incarceration.” N.D.Cent. Code § 12.1-33-01(1)(a). The right is restored upon release from prison. N.D. Cent. Code § 12.1-33-03(1).</p> <p>HOLD OFFICE: The right to be a candidate for public office is lost when a person is sentenced to imprisonment, during the term of “actual incarceration”, N.D. Cent. Code § 12.1-33-01(1)(b), and restored upon release from prison. N.D. Cent. Code § 12.1-33-03(1). A public officer convicted of a felony forfeits the office. N.D. Cent. Code § 12.1-3301(2).</p> <p>SIT ON JURY: A person is disqualified from serving on a jury if s/he has “lost the right to vote because of imprisonment in the penitentiary (section 12.1-33-01) or conviction of a criminal offense which by special provision of law disqualified the prospective juror for such service.” N.D. Cent. Code § 27-09.1-08(e). The right is restored when the right to vote has been restored, N.D. Cent. Code § 12.1-33-01, except for those offenses which by “special provision of law disqualify the person from service.” [I have not been able to locate such an offense.]</p> <p>Pardon: The Governor is vested with the pardon power (except in cases of treason or impeachment). N.D. Const. art 5, § 7. A pardon restores civil disabilities, unless made conditional. N.D. Cent. Code § 12-55.1-01.</p> <p>Reducing from felony to misdemeanor: A person convicted of a felony (other than certain drug offenses) and sentenced to imprisonment for not more than one year “is deemed to have been convicted of a misdemeanor.” N.D. Cent. Code § 12.1-32-02(9). This does not apply if any probation is revoked. <i>Id.</i> If the person successfully completes probation, the court may in its discretion allow the person to withdraw the guilty plea and set aside the verdict of guilty and dismiss the charging instrument. Before</p>	<p>FIREARMS: A person who has been convicted anywhere for a felony involving violence or intimidation in violation of chapters 12.1-16 through 12.1-25, <i>or an equivalent felony offense of another state or the federal government</i> is prohibited from owning a firearm or having one in possession or under control from the date of conviction and continuing for a period of ten years after the date of conviction or release from incarceration, parole, or probation, whichever is latest. N.D. Cent. Code § 62.1-02-01(2)(1).</p> <p>For any other felony offense of “<i>this or another state or the Federal Government,</i>” the person is prohibited from owning a firearm or having one in possession or under control from the date of conviction and continuing for a period of five years after the date of conviction or date of release from incarceration, parole or probation, whichever is latest. N.D. Cent. Code § 62.1-02-01(2).</p> <p>On March 7, 2007, the statute was amended to add the italicized language and add that the waiting period would not begin until release from incarceration, <i>parole</i>, or probation, whichever is latest. See 2007 N.D. SB 2213.</p> <p>In addition, presumably, a</p>

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
				<p>dismissing the charge, the court may also reduce to a misdemeanor a felony conviction, which must release the person from all penalties and disabilities, <i>except for firearms disabilities</i>. N.D. Cent. Code § 12.1-32-07.1.</p> <p>(Expungement available only for first offender convicted of misdemeanor possession of no more than 1 ounce of marijuana, <i>see</i> N.D. Cent. Code § 19-03.1-23(8), and set aside not available).</p>	<p>pardon would restore all firearm rights, unless it had some express condition excluding them. <i>See</i> N.D. Const. art 5, § 7; N.D. Cent. Code § 12-55.1-04.</p>
Ohio	<p>No. A misdemeanor sentence appears to be capped at 1 year.</p>	<p>VOTE: No loss.</p> <p>HOLD OFFICE: No loss.</p> <p>JURY SERVICE: No loss.</p>	<p>A person may not acquire, have, carry or use any firearm if convicted of any drug offense. <i>See</i> Ohio Rev. Code § 2923.13(A)(3). In addition, a license to carry a concealed handgun will not be issued to a person who has been convicted of an enumerated drug offense or certain other enumerated misdemeanors if convicted within 3, 5 or 10 years of the application date. <i>See</i> Ohio Rev. Code § 2923.125(D)(1)(e)-(h).</p> <p>A person can apply to the court for “relief” from the “disability” of not being able to own or possess a firearm if fully discharged from the sentence, has led a law-abiding life since, and is not otherwise prohibited by law of having a firearm. <i>See</i> Ohio Rev. Code § 2923.14(A).</p>	<p>VOTE: A person convicted of a felony by any jurisdiction is “incompetent” to vote unless the conviction is reversed or annulled. <i>See</i> Ohio Rev. Code § 2961.01(A).</p> <p>HOLD OFFICE: A person convicted of a felony by any jurisdiction is “incompetent” to hold office unless the conviction is reversed or annulled. <i>See</i> Ohio Rev. Code § 2961.01(A). In addition, a person convicted of a felony theft offense or any other felony involving fraud, deceit or theft for which disqualification is not already required under Ohio or other law is “incompetent” to hold public office if the office involves substantial management or control over the property of a state agency or political subdivision. <i>See</i> Ohio Rev. Code § 2961.02(A)(1), (B). A public servant or party official who is convicted of bribery or a theft offense is “forever disqualified” from holding any public office, employment, or position of trust in the state. <i>See id.</i> at §§ 2921.02(F) 2921.41(C)(1).</p> <p>JURY SERVICE: A person convicted of a felony by any jurisdiction is “incompetent” to vote unless the conviction is reversed or annulled. <i>See</i> Ohio Rev. Code § 2961.01(A).</p> <p>RESTORATION: <u>Vote.</u> A person becomes “competent” to vote when granted parole or judicial release, released under a non-jail or post-release community control sanction, or if he receives a conditional pardon. <i>See</i> Ohio Rev. Code §§ 2961.01(A), 2967.16(C) (describing</p>	<p>A person may not acquire, have, carry or use any firearm if convicted of a felony offense of violence or any drug offense. <i>See</i> Ohio Rev. Code § 2923.13(A)(2)-(3). A license to carry a concealed handgun will not be issued to a person who has been convicted of a felony that involves the illegal possession, use, sale, administration, or distribution of or trafficking in a drug of abuse, or of assault when the victim is a peace officer. <i>See</i> Ohio Rev. Code § 2923.125(D)(1)(e).</p> <p>A person can apply to the court for “relief” from the “disability” of not being able to own or possess a firearm if fully discharged from the sentence, has led a law-abiding life since, and is not otherwise prohibited by law of having a firearm. <i>See</i> Ohio Rev. Code § 2923.14.</p>

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State	Misdemeanor		Felony		
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
				<p>when prisoners “shall be restored to the rights and privileges forfeited by a conviction”).</p> <p><u>Expungement.</u> “Sealing the record” will “restore . . . all rights” not otherwise restored by terminating the sentence, although that procedure is only open to first offenders who have not been convicted of a felony in the first or second degree, a felony in which the victim was under the age of 18, a felony “offense of violence,” a crime that carries a mandatory prison term, or any of the following crimes: rape, sexual battery, unlawful sexual conduct with a minor, gross sexual imposition, sexual imposition, pandering obscenity involving a minor, pandering sexually oriented matter involving a minor, illegal use of a minor in nudity-oriented material or performance, felonious sexual penetration, or driving or motor vehicle crimes. <i>See</i> Ohio Rev. Code §§ 2953.33(A), 2953.36. A first offender with an appropriate conviction may apply to the sentencing court to seal the record 3 years after final discharge of a felony (or 1 year after final discharge of a misdemeanor). <i>See id.</i> § 2953.32(A)(1). The court has discretion to count as a “first offender” a person who has up to three convictions that result from the same indictment, information, or complaint, from the same plea of guilty, or from the same official proceeding, and that result from related criminal acts that were committed within a three-month period but do not result from the same act or from offenses committed at the same time.” <i>Id.</i> at § 2953.32(C)(1)(A). The Ohio Supreme Court has referred to the proceeding authorized by this statute as an “expungement” proceeding. <i>See State ex rel Gaines v. Rossi</i>, 716 N.E.2d 204, 206-07 (Ohio 1999).</p> <p>Despite Ohio’s use of the phrase “annulled,” there does not appear to be a separate “annulment” procedure. Rather, it appears that the state uses the term “annulment” generically to mean that a conviction has been “vacated” or sealed or otherwise declared null and void. <i>See, e.g., United States ex rel. Brancato v. Lehmann</i>,</p>	

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State	Misdemeanor		Felony		
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
				<p>136 F.Supp.322, 324 (D. C. Ohio 1955) (<i>overruled on other grounds</i>, 239 F.2d 663 (6th Cir. 1956)).</p> <p>A full pardon also restores the rights to vote, seek office, and serve as a juror. <i>See</i> Ohio Rev. Code §§ 2961.01(A), 29617.04(A), (B) (completing all conditions in a conditional pardon transforms pardon into a full pardon).</p> <p><u>Hold Office.</u> In addition to a full pardon, the restrictions on people convicted of a felony offense involving fraud, deceit or theft “do not apply” if the conviction is reversed, expunged or annulled. <i>See</i> Ohio Rev. Code § 2961.02(C). In contrast, a public servant or party official who is convicted of bribery or a theft offense likely remains “forever disqualified” from holding any public office, employment, or position of trust in the state, despite an expungement or similar order. <i>See State v. Bissantz</i>, 532 N.E. 2d 126, 129-30 (Ohio 1988) (expunged conviction continues to “forever disqualify” person convicted of bribery from holding public office).</p> <p>It is likely, however, that a pardon could restore the right even to those “forever disqualified” from office, even though there is no statute or case law discussing whether a pardon can overcome such a disqualification. On the one hand, the Legislature does have the power to legislate the manner of applying for pardons. <i>See</i> Ohio Const. art. III, § 11. On the other, it cannot use that power to encroach upon the governor’s power to issue pardons where he sees fit. <i>See id</i>; <i>see also</i> Ohio Rev. Code §§ 2967.02(B), 2967.04. Because a pardon relieves the person to whom it is granted of all disabilities arising out of the conviction, Ohio Rev. Code § 2967.04(B), it would likely relieve this disability as well.</p> <p><u>Jury Service.</u> Pardon, sealing the record, reversal, expungement or annulling the conviction will restore rights. <i>See</i> above.</p>	
Oklahoma	None. The	HOLD OFFICE: Persons	FIREARMS: A person does	VOTE: A person “convicted of a felony” is not	FIREARMS:

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
	<p>maximum punishment upon conviction of a misdemeanor is one year in the county jail. Okla. Stat. tit. 21, § 10.</p>	<p>convicted of a felony or misdemeanor involving embezzlement are disqualified from office for fifteen years “following completion of sentence.” Okla. Stat. tit. 26, § 5-105(a)(A). A pardon will remove the disability. <i>Id.</i> § 5-105(a)(B).</p> <p>A member of the legislature convicted of a felony or other specified offenses is permanently disqualified from holding office. Okla. Const. art. V, § 18, Okla. Stat. tit. 21, § 312. The list appears to include the misdemeanor offenses of making an obscene gesture in the gallery, Okla. Stat. tit. 21, § 302, and refusal to leave the gallery, Okla. Stat. tit. 21, § 302.1.</p>	<p>not lose firearms rights upon conviction of a misdemeanor. However, a person convicted of the following offenses will not be issued a permit to carry a concealed weapon:</p> <p>(1) Two or more convictions of public intoxication pursuant to Section 8 of Title 37 of the Oklahoma Statutes, or a similar law of another state. The preclusive period shall be three years from the date of the completion of the last sentence;</p> <p>(2) Two or more misdemeanor convictions relating to intoxication or driving under the influence of an intoxicating substance or alcohol. The preclusive period shall be three (3) years from the date of the completion of the last sentence or shall require a certified statement from a licensed physician stating that the person is not in need of substance abuse treatment;</p> <p>(3) An arrest for an alleged commission of, a charge pending for, or the person is subject to the provisions of a deferred sentence or a deferred prosecution for any one or more of the following misdemeanor offenses in this state or another state:</p> <p style="margin-left: 20px;">a. any assault and battery which caused serious physical injury to</p>	<p>entitled to become a registered voter for “a period of time equal to the time prescribed in the judgment and sentence.” Okla. Stat. tit. 26, §4-101(1).</p> <p>HOLD OFFICE: Persons convicted of a felony or misdemeanor involving embezzlement are disqualified from office for fifteen years “following completion of sentence.” Okla. Stat. tit. 26, § 5-105a(A). A pardon will remove the disability. <i>Id.</i> § 5-105a(B).</p> <p>A member of the legislature convicted of a felony or other specified offenses is permanently disqualified from holding office. Okla. Const. art. V, § 18, Okla. Stat. tit. 21, § 312.</p> <p>SIT ON JURY: Persons who have been convicted of any felony or who have served a term of imprisonment in any penitentiary, state or federal, for the commission of a felony may not sit on a jury unless that person has been “fully restored to his or her civil rights.” Okla. Stat. tit. 38, § 28(C)(6).</p> <p>A pardon can fully restore all civil rights, except firearms rights. Governor has pardon authority over all offenses except impeachment, but cannot exercise that authority without a favorable recommendation from a majority of the Pardon and Parole Board. <i>See</i> Okl. Const. art. 6, § 10.</p> <p>(Expungement available only for acquitted or vacated convictions, cases in which charges were never filed and the SOL has run, certain misdemeanor convictions, or where the offender has received a full pardon. <i>See</i> Okla. Stat. tit. 22, § 18).</p> <p>(“Set aside” available only for youthful offenders. <i>See</i> Okla. Stat. tit. 10, § 7306-2.12(B)).</p>	<p>A person convicted of any felony in any court of this state or of another state or of the United States to possess a firearm. Okla. Stat. tit. 21, § 1283(A). A pardon will <u>not</u> restore the right if the conviction was for a violent felony.</p> <p>A person convicted of a nonviolent felony and who has received a full and complete pardon and has not been convicted of any other felony offense which has not been pardoned, shall have restored the right to possess a firearm, the right to apply for and carry a concealed handgun pursuant to the Oklahoma Self-Defense Act, and the right to perform the duties of a peace officer, gunsmith, or for firearms repair. Okla. Stat. tit. 21, § 1283(B).</p>

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
			<p>the victim or any second or subsequent assault and battery,</p> <p>b. any aggravated assault and battery,</p> <p>c. any stalking</p> <p>d. any violation of domestic abuse victim protection order</p> <p>e. any violation relating to illegal drug use or possession, or</p> <p>f. an act of domestic abuse</p> <p>The preclusive period is three years , beginning upon the “final determination of the matter.”</p> <p>Okla. Stat. tit. 21, § 1290.11.</p>		
Oregon	<p>None. A crime is a misdemeanor if it is so designated in any statute of this state or if a person convicted thereof may be sentenced to a maximum term of imprisonment of not more than one year. Or. Rev. Stat. § 161.545. No offense designated as a misdemeanor under state law is punishable by more than one</p>	<p>VOTE: A person convicted of any crime and serving a term of imprisonment in a federal correctional institution is “deprived” of the right to vote from the date of sentencing until discharged or paroled from imprisonment or the conviction is set aside. Or. Rev. Stat. § 137.281(5). This presumably would apply to federal misdemeanors.</p>	<p>FIREARMS: A person convicted of a misdemeanor does not lose right to possess a firearm, unless the person is a juvenile who found to have committed an act, that if committed by an adult, would be a misdemeanor involving violence. Under those circumstances, after four years and so long as the person is under 18 years of age, the juvenile is automatically restored to a right to possess a firearm. Or. Rev. Stat. § 166.270.</p>	<p>VOTE: A person convicted of a felony and sentenced to “a term of imprisonment in the custody of the Department of Corrections and execution of the sentence is not suspended, or execution is suspended upon condition that the defendant serve a term of imprisonment in the county jail” is “deprived” of the right to vote. Or. Rev. Stat. § 137.281(1), (3)(d).</p> <p>A person convicted of any crime and serving a term of imprisonment in a federal correctional institution is “deprived” of the right to vote from the date of sentencing until discharged or paroled from imprisonment or the conviction is set aside. Or. Rev. Stat. § 137.281(5).</p> <p>The right to vote is restored upon discharge or parole from imprisonment. Or. Rev. Stat. § 137.281(1), (5).</p> <p>HOLD OFFICE: A person convicted of a felony and sentenced to “a term of imprisonment</p>	<p>FIREARMS: A person convicted of a felony under the law of Oregon or any other state or the laws of the United States is prohibited from possessing a firearm. Or. Rev. Stat. § 166.270(1). “Felony” is defined as an offense that was a felony under the law of the jurisdiction in which it was committed, except when the court declared the offense to be a misdemeanor at the time of judgment or the conviction was for possession of marijuana before January 1, 1972. <i>Id.</i> § 166.270(3).</p> <p>The prohibition does not apply to a person convicted of only one felony (excepting criminal homicide or</p>

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State	Misdemeanor		Felony		
	Stat max > 2 years (now or in the past)?	<u>Civil Rights</u>	<u>Firearms Permission</u>	<u>Civil Rights</u>	<u>Firearms Permission</u>
	year in prison.			<p>in the custody of the Department of Corrections and execution of the sentence is not suspended, or execution is suspended upon condition that the defendant serve a term of imprisonment in the county jail” is “deprived” of the right to hold public office or become or remain a candidate for public office. Or. Rev. Stat. § 137.281(1), (3)(a). By statute, the right is restored upon discharge or parole from imprisonment. Or. Rev. Stat. § 137.281(1).</p> <p>By state constitution, eligibility for legislative office is lost upon conviction of a felony until sentence completed, including any period of post-prison supervision and payment of monetary obligations. Or. Const. art. IV, § 8(4).</p> <p>SIT ON JURY: A person convicted of a felony or served a felony sentence is not eligible to serve as a juror in a criminal case until 15 years after the latest of conviction or serving the sentence (including incarceration, post-prison supervision, parole, or probation). <i>See</i> Or. Rev. Stat. § 10.030(3)(a)(E), (b)(A).</p> <p>Pardon power rests exclusively with the Governor, except for cases of treason, for which the power rests in the legislature. Or. Const. art. V, § 14; Or. Rev. Stat. § 144.649. The Governor generally will not exercise pardon power if the person qualifies for the court to “set aside” the conviction. <i>See</i> www.cjpf.org/clemency/Oregon.html (posting the Oregon Executive Clemency and Pardon Application). A pardon restores all legal rights lost as a result of conviction.</p> <p>Expungement / Set Aside: Under Or. Rev. Stat. § 137.225(3), (5), a court can “set aside” misdemeanors and minor felonies (Class C, except child abuse, sex and traffic offenses) and other specified minor crimes, such as felony possession of marijuana, after completion of sentence. A person is eligible three years after pronouncement of judgment, subject to the person not having been convicted of any other</p>	<p>possession of a firearm or switchblade) and who has been discharged from imprisonment, parole, or probation for said offense for a period of 15 years or who has been granted federal relief from the disability or has had his record expunged. Or. Rev. Stat. § 166.270(4). In other words, the right to possess a firearm is automatically restored when one of these conditions are met.</p> <p><i>See also</i> pardon power and “set aside” procedure” in previous column.</p>

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
				<p>offense in the previous ten years or arrest within three years. Or. Rev. Stat. § 137.225(1)(a), (b). For these minor offenses, if the circumstances “warrant” setting aside the conviction, the court “shall” enter an order setting aside the conviction. Or. Rev. Stat. § 137.225(3). For other specified offenses, such as criminally negligent homicide and attempted kidnapping in the second degree, the court shall enter an order setting aside the conviction in its discretion. Or. Rev. Stat. § 137.225(11). Oregon courts generally refer to this procedure as “expunging” the conviction. <i>See, e.g., State v. Jansen</i>, 105 P.3d 928, 929 (Ore. 2005).</p> <p>Setting aside a conviction restores all rights and disabilities, and the conviction is deemed not to have occurred. Or. Rev. Stat. § 137.225(11).</p>	
Pennsylvania	<p>A misdemeanor in the first degree is punishable up to five years in prison. <i>See</i> 18 Pa. Cons. Stat § 106.</p>	<p>HOLD OFFICE: A person convicted of bribery, embezzlement, perjury or other “infamous crime” cannot hold public office. Pa. Const. art. 2, § 7. “Commercial bribery” is a misdemeanor in the second degree, punishable up to two years in prison. Embezzlement is punishable as a misdemeanor in the first degree and up to five years in prison. 18 Pa. Cons. Stat. §§ 3903, 3927.</p> <p>The disability can be removed through pardon from the Governor, or if it qualifies as “a disabling offense,” 18 Pa. Cons. Stat. § 6105.1(e).</p> <p>SIT ON JURY: A person who has “been convicted of a crime punishable by imprisonment for more than one year and has not been granted pardon or amnesty therefore” is not qualified to serve on a jury. 42 Pa. Cons. Stat. § 4502(a)(3).</p>	<p>FIREARMS: Persons convicted of specified misdemeanors in the first degree (such as possession of a weapon on school property, involuntary manslaughter, stalking, unlawful restraint, luring a child into a motor vehicle, and corruption of minors) and drug offenses punishable by a term of imprisonment exceeding two years, are prohibited from possessing, using, manufacturing, controlling, selling or transferring firearms. 18 Pa. Cons. Stat. § 6105(a)-(c).</p> <p>Firearms rights may be restored by petition to the court of common pleas if (1) the conviction has been vacated, (2) the person has been pardoned, or (3) ten years have passed since the most recent conviction and federal rights have been</p>	<p>VOTE: A person is not eligible to vote while confined in a penal institution. 25 Pa. Cons. Stat. §§ 2602(w), 2811, 3146.1. The right is restored automatically upon release from prison. <i>United States v. Essig</i>, 10 F.3d 968 (3d Cir 1998). The state attorney general has interpreted the disability to apply only to persons convicted of a felony. 1974 Op. Att’y Gen. Pa 186, No. 47 (1974). The state courts have never resolved the issue. <i>See, e.g., Martin v. Haggerty</i>, 548 A.2d 371, 136-37 (Pa. Commonwealth 1988).</p> <p>HOLD OFFICE: Persons convicted of embezzlement of public moneys, bribery, perjury, or “other infamous crime” may not be elected to the General Assembly or hold any “office of profit or trust” in the state. Pa. Const. art. 2, § 7. “A crime is infamous for purposes of Article II, Section 7, if its underlying facts establish a felony, a <i>crimen falsi</i> offense, or a like offense involving the charge of falsehood that affects the public administration of justice.” <i>Commonwealth ex rel. Baldwin v. Richard</i>, 751 A.2d 647, 652-53 (Pa. 2000). If the conviction qualifies as a “disabling offense” under 18 Pa. Cons. Stat. § 6105.1, the person could apply for a restoration through the courts. Otherwise, it is restorable by pardon. <i>Commonwealth v.</i></p>	<p>FIREARMS: Persons convicted of certain enumerated felonies (such as murder, aggravated assault, burglary, felony criminal trespass) and drug offenses that are punishable over two years are prohibited from possessing firearms. 18 Pa. Cons. Stat. § 6105(a)(1), (c)(2).</p> <p>Firearms rights may be restored by petition to the court of common pleas if (1) the conviction has been vacated, (2) the person has been pardoned, or (3) ten years have passed since the most recent conviction and federal rights have been restored though the latter may be waived if Congress still has not appropriated funds for doing so. 18 Pa. Cons. Stat. § 6105(d).</p>

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
		<p>This disability is removable by a governor's pardon, Pa. Const. art. IV, § 9. In addition, a restoration of firearms rights under the statutory procedure set forth relating firearms for a certain specified set of offenses will also restore the right to sit on a jury. 18 Pa. Cons. Stat. § 6105(e).</p>	<p>restored though the latter may be waived if Congress still has not appropriated funds for doing so. 18 Pa. Cons. Stat. § 6105(d).</p> <p>In 2002, a special procedure was enacted that allows a person convicted of a "disabling offense" under prior laws but without having been convicted of any other offense punishable over one year, to petition the court to regain firearms rights. 18 Pa. Cons. Stat. § 6105. A "disabling offense" is defined as a conviction for an offense that resulted in a federal firearms disability but is similar to an offense that is only punishable up to a maximum of two years in prison (for example, a misdemeanor in the 2d degree is punishable up to two years) or is no longer an offense, and was an offense under former motor vehicle laws or the former Penal Code. 18 Pa. Cons. Stat. § 6105.1(e). The definition of "disabling offense" does not include misdemeanor domestic violence. <i>Id.</i></p> <p>This restoration also restores the right to vote, to hold office and to serve on a jury. <i>Id.</i></p> <p>It appears unlikely that § 6105.1(e) could apply to any misdemeanor punishable by more than two years or to a</p>	<p><i>Zimmerman</i>, 258 A.2d 695 (Pa. 1969).</p> <p>SIT ON JURY: A person who has "been convicted of a crime punishable by imprisonment for more than one year and has not been granted pardon or amnesty therefore" is not qualified to serve on a jury. 42 Pa. Cons. Stat. § 4502(a)(3). This section was amended in 2001 to define "convicted of a crime punishable by imprisonment for more than one year" to exclude convictions under prior law relating to vehicles that, if committed after July 1, 1977, would have been substantially similar to summary vehicle offenses under current law or would not be a violation under current law. Act 2001-113 (H.B. 1806), § 2 (Dec. 17, 2001). Although this disability is removable by a governor's pardon, Pa. Const. art. IV, § 9, restoration of firearms rights under the statutory procedure set forth relating firearms and for a certain specified set of offenses will also restore the right to sit on a jury. 18 Pa. Cons. Stat. §§ 6105(e), 6105.1</p> <p>Expungement is available for deferred adjudications and juvenile records, <i>see</i> 18 Pa. Cons. Stat. § 9123, 35 Pa. Cons. Stat. § 780-119, or for persons convicted of one underage drinking offense, or who have reached the age of 70 and have been free of arrest or prosecution for ten years following final release from confinement or supervision, or have been dead for three years. 18 Pa. Cons. Stat. § 9122(a), (b)(1)-(2).</p>	

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
			felony.		
Rhode Island	None. The maximum term of imprisonment authorized for a misdemeanor conviction is one year. R.I. Gen. Laws §11-1.2-1.	HOLD OFFICE: A person is disqualified to run for public office or to be a candidate for an appointive state or local office or to hold such office if convicted of a felony or misdemeanor resulting in a jail sentence of six months or more, either suspended or to be served. R.I. Const. art. 3, § 2. The right is automatically restored three years after completion of sentence, including probation or parole. <i>Id.</i>	FIREARMS: No disability resulting from misdemeanor conviction.	<p>VOTE: In general, a person convicted of a felony cannot vote until completion of the sentence. On November 7, 2006, Rhode Island voters amended the constitution so that only persons who are physically incarcerated upon a felony conviction are prevented from voting. <i>See</i> R.I. Const. art. 2, § 1. (“No person who is incarcerated in a correctional facility upon a felony conviction shall be permitted to vote until such person is discharged from the facility. Upon discharge, such person’s right to vote shall be restored.”). Also in 2006, the legislature created a process by which the department of corrections will act as a voter registration agency with certain duties as part of the release from discharge. <i>See</i> R.I. Gen. Laws 17-9.2-3 (effective date contingent upon ratification of the constitutional amendment).</p> <p>Before the 2006 amendment, the provision read, “No felon shall be permitted to vote until completion of such felon’s sentence, served or suspended, and of parole or probation.” R.I. Const. art. 2, § 1 (2006). [The amendment does not yet appear on LEXIS or Westlaw, but does appear on Rhode Island’s official government website, www.rilin.state.ri.us/RiConstitution/C02.htm] In any event, the right is restored automatically when the constitutional condition is met.</p> <p>HOLD OFFICE: A person is disqualified to run for public office or to be a candidate for an appointive state or local office or to hold such office if convicted of a felony, or of a misdemeanor resulting in a jail sentence of six months or more, either suspended or to be served. R.I. Const. art. 3, § 2. The right is automatically restored three years after completion of sentence, including probation or parole. <i>Id.</i> The governor may also pardon. R.I. Const. art. 9, § 13; R.I. Gen. Laws § 13-10-1.</p> <p>SIT ON JURY: A person convicted of a felony</p>	<p>FIREARMS: A person convicted of a “crime of violence” is prohibited from purchasing, owning, carrying, transporting, or possessing any firearm. R.I. Gen. Laws § 11-47-5. This prohibition applies to persons sentenced to community confinement or electronic surveillance. R.I. Gen. Laws § 11-47-5(c).</p> <p>“Crime of violence” is defined as specific list of felonies, including felony domestic violence. R.I. Gen. Laws § 11-47-2(2).</p> <p>Except for pardon by the Governor, R.I. Const. art. 9 § 1, and the exception regarding felony domestic violence set forth below, there is no provision for restoration of firearms privileges.</p> <p>Notwithstanding the firearms disability for persons convicted of a “crime of violence,” a person convicted of a felony offense involving domestic violence is only prohibited from possessing a firearm for two years following the date of conviction. R.I. Gen. Laws § 11-47-5(b). The right is apparently restored automatically upon the expiration of two years.</p>

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
				<p>is “not qualified” to serve as a juror. R.I. Gen. Laws § 9-9-1.1(c). The right is restored upon “completion of such felon’s sentence, served or suspended, and of parole or probation regardless of a nolo contendere plea.” R.I. Gen. Laws § 9-9-1.1(c).</p> <p><u>Expungement.</u> First offenders may move the court to expunge the record of any conviction 5 years after completing sentence for a misdemeanor and 10 years after completing sentence for a felony. <i>See</i> R.I. Stat. § 12-1.3-2. Any person having his or her record expunged shall be released from all penalties and disabilities resulting from the crime of which he or she had been convicted. <i>See</i> R.I. Stat. § 12-1.3-4(a). Not available for anyone convicted of an enumerated “crime of violence.” <i>See id.</i> at § 12-1.3-1(1), 12-1.3-2(a).</p>	
South Carolina	<p><i>See</i> S.C. Code §§ 16-1-20(A) (Class A misdemeanors subject to imprisonment up to three years); 16-1-100(A) (listing over 130 Class A misdemeanors).</p>	<p>VOTE: A person is “disqualified from registering to vote or voting” if he “is serving a term of imprisonment resulting from a conviction of [any] crime,” or “is convicted of . . . offenses against the election laws, unless the disqualification has been removed by service of the sentence, including probation and parole time unless sooner pardoned.” S.C. Code § 7-5-120.</p> <p>Misdemeanors that constitute offenses against the election laws and that are punishable over two years in prison include fraudulent change of address by an elector for voter registration purposes, S.C. Code § 7-5-325, tampering with a voting machine, S.C. Code § 7-13-1920, false swearing in applying for registration, S.C. Code § 7-25-10, procuring or offering to procure votes by threats, S.C.</p>	<p>FIREARMS: A person does not lose any firearms rights upon conviction of a crime classified as a misdemeanor.</p>	<p>VOTE: A person is disqualified from registering to vote or voting while serving a term of imprisonment resulting from conviction of any crime, or is convicted of a felony or any offense against the election laws, unless the disqualification has been removed by service of the sentence, including probation and parole unless sooner pardoned. <i>See</i> S.C. Const. art. II, §7; S.C. Code § 7-5-120.</p> <p>HOLD OFFICE: Eligibility for office is contingent on being a qualified voter. <i>See</i> S.C. Const. art. XVII, § 1, S.C. Const. art. VI, § 1. A person disqualified from voting is therefore also disqualified from holding office. The disqualification is removed upon restoration of the right to vote, which occurs automatically by service of the sentence, including probation and parole. S.C. Code § 7-5-120(B)(3).</p> <p>The right to hold office after embezzlement of public funds can be restored only by a two-thirds vote of the General Assembly and upon payment in full of the principal and interest of the sum embezzled. S.C. Code § 16-13-210.</p> <p>SIT ON JURY: No person is qualified to serve</p>	<p>FIRARMS: A person who has been convicted of a “crime of violence” in any court of the United States, the several states, commonwealths, territories, possession, or the District of Columbia is prohibited from possessing a handgun. S.C. Code § 16-23-30(B). “Crime of violence” is defined as a specified list of felonies, including murder (§ 16-3-10); criminal sexual conduct in the first and second degree (§§16-3-652 and 16-3-653); assault and battery with intent to kill (§16-3-620); kidnapping (§ 16-3-910); armed robbery (§16-11-330(A)); serious drug trafficking as defined in § 44-53-370(e) or trafficking cocaine base as defined in § 44-53-375(C); arson in the first degree. Only those offenses specifically enumerated in this section are</p>

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State	Misdemeanor		Felony		
	Stat max > 2 years (now or in the past)?	<u>Civil Rights</u>	<u>Firearms Permission</u>	<u>Civil Rights</u>	<u>Firearms Permission</u>
		<p>Code § 7-25-70, voting more than once, S.C. Code § 7-25-110, and impersonating a voter, S.C. Code § 7-25-120. Class C misdemeanors, punishable up to one year, include fraudulent registration or voting, S.C. Code § 7-25-20, removing ballot from voting place, S.C. Code § 7-25-100, paying a candidate to file or withdraw from candidacy, S.C. Code § 7-25-200.</p> <p>Disqualification automatically removed upon service of sentence for any misdemeanor not against the election laws; upon service of sentence including probation and parole for a misdemeanor against the election laws, unless sooner by pardon. <i>See</i> S.C. Code § 7-5-20(B).</p> <p>HOLD OFFICE: Eligibility for office is contingent on being a qualified voter. <i>See</i> S.C. Const. art. XVII, § 1, S.C. Const. art. VI, § 1. A person disqualified from voting is therefore also disqualified from holding office. The disqualification is removed upon restoration of the right to vote, which occurs automatically upon service of sentence for any misdemeanor not against the election laws; upon service of sentence including probation and parole for a misdemeanor against the election laws, unless sooner by pardon. <i>See</i> S.C. Code § 7-5-20(B).</p> <p>SIT ON JURY: No person is qualified to serve as a juror if</p>		<p>as a juror if convicted of a crime punishable by imprisonment over one year and his civil rights have not been restored by pardon or amnesty. S.C. Code § 14-7-810(1). Authority to grant a pardon is vested in the Probation, Parole, and Pardon Board. S.C. Code § 24-21-920.</p> <p>Pardon: A person is eligible for pardon after discharge from supervision for those sentenced to probation, and after successful completion of five years under supervision or discharge from supervision for parolees, whichever comes first. S.C. Code § 24-21-950(A)(1)-(3). A pardon restores all civil rights, including the right to possess a firearm. S.C. Code § 24-21-990. “Pardon” is defined very broadly, to mean that “an individual is fully pardoned from all the legal consequences of his crime and of his conviction, direct and collateral, including the punishment, whether of imprisonment, pecuniary penalty or whatever else the law has provided.” S.C. Code § 24-21-940.</p> <p>Expungement. Records of first misdemeanor offense for failure to stop for a blue light may be expunged if no other conviction for 3 years, S.C. Code § 56-5-750.</p> <p>(Records of first offense convictions in magistrate or municipal court may be expunged if no other conviction for 3 or 5 years, S.C. Code §§ 22-5-910, 34-11-90. Magistrate and municipal courts only have jurisdiction over criminal cases in which the punishment does not exceed a fine of one hundred dollars or imprisonment for thirty days. <i>See</i> S.C. Code § 22-3-540; <i>State v. Dudley</i>, 614 S.E.2d 623, 625 (S.C. 2005)).</p>	<p>considered violent offenses. S.C. Code § 16-1-60.</p> <p>Firearms privileges can be regained by pardon by the Probation, Parole, and Pardon Board. S.C. Const. art. IV, § 14; S.C. Code § 24-21-920. A person is eligible for pardon after discharge from supervision for those sentenced to probation, and after successful completion of five years under supervision or discharge from supervision for parolees, whichever comes first. S.C. Code § 24-21-950(A)(1)-(3).</p>

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
		convicted of a crime punishable by imprisonment over one year and his civil rights have not been restored by pardon or amnesty. S.C. Code § 14-7-810(1). Authority to grant a pardon is vested in the Probation, Parole, and Pardon Board. S.C. Code § 24-21-920.			
South Dakota	None. A misdemeanor is punishable only by imprisonment up to one year in the county jail. See S.D. Codified Laws §§ 22-1-4, 22-6-2.	No civil rights are lost upon conviction of a misdemeanor.	<p>FIREARMS: Effective July 1, 2005, a person loses the right to possess a firearm if convicted of any misdemeanor crime involving an act of domestic violence. S.D. Codified Laws § 22-14-15.2. Additional misdemeanor convictions (crime of violence, firearm violations in past 5 years) may result in denial of a license to carry a concealed weapon. See S.D. Codified Laws § 23-7-7.1.</p> <p>At the end of one-year period, “any civil rights lost as a result of this provision shall be restored.” <i>Id.</i> However, the person must petition the convicting court and cannot have been convicted within the prior year of a crime for which firearm rights have been lost. <i>Id.</i> The court must enter an order reflecting the restoration of any firearms rights lost thirty days after service of the petition on the state’s attorney. <i>Id.</i></p> <p>Interestingly, this section contains a self-repealing provision that goes into effect on the date “when any federal</p>	<p>VOTE: A felony conviction with a sentence of imprisonment in the state penitentiary for any term “suspends” the right of the person to vote. S.D. Codified Laws § 23A-27-35. The right is “suspended” (also called “withheld”) even if the prison sentence is suspended by the court, and is restored automatically upon the termination of the time of the original sentence or the time extended by order of the court. <i>Id.</i> The person is considered restored to all civil rights when a certificate of discharge is issued by the Secretary of Corrections, after the entire prison sentence is completed, including parole. S.D. Codified Laws §§ 24-5-2, 24-15A-7.</p> <p>HOLD OFFICE: A felony conviction with a sentence of imprisonment in the state penitentiary for any term “suspends” the right of the person to hold public office or to become a candidate for public office. S.D. Codified Laws § 23A-27-35. The right is suspended even if the prison sentence is suspended by the court, and is restored automatically upon the termination of the time of the original sentence or the time extended by order of the court. <i>Id.</i> The person is considered restored to all civil rights when a certificate of discharge is issued by the Secretary of Corrections, after the entire prison sentence is completed, including parole. S.D. Codified Laws §§ 24-5-2, 24-15A-7.</p> <p>SIT ON JURY: A felony conviction with a sentence of imprisonment in the state penitentiary for any term “suspends” the right of the person to serve on a jury. S.D. Codified Laws § 23A-27-35. The right is suspended even</p>	<p>FIREARMS: A person convicted of a “crime of violence” or certain drug offense loses the right to possess or have control of a firearm. S.D. Codified Laws § 22-14-15. “Crime of violence” is defined as a specified list of felonies. S.D. Codified Laws § 22-1-2.</p> <p>The right is restored automatically after fifteen years without another conviction for a crime of violence or drug offense. See S.D. Codified Laws § 22-14-15. The disability may be removed before fifteen years have passed or if the person has another conviction for a crime of violence or specified drug offense within fifteen years only by pardon specifying that firearms rights are restored. See S.D. Codified Laws § 24-14-12.</p> <p>In addition, any person convicted of a felony, or any violation under the controlled substances or firearms chapters within the 5 years preceding the date of the application, may be (but not must be) denied a license to</p>

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State	Misdemeanor		Felony		
	Stat max > 2 years (now or in the past)?	<u>Civil Rights</u>	<u>Firearms Permission</u>	<u>Civil Rights</u>	<u>Firearms Permission</u>
			<p>law restricting the right to possess firearms from misdemeanor domestic violence convictions is repealed.” <i>Id.</i></p>	<p>if the prison sentence is suspended by the court, and is restored automatically upon the termination of the time of the original sentence or the time extended by order of the court. S.D. Codified Laws § 23A-27-35. The person is considered restored to all civil rights when a certificate of discharge is issued by the Secretary of Corrections, after the entire prison sentence is completed, including parole. S.D. Codified Laws §§ 24-5-2, 24-15A-7.</p> <p>Persons not sentenced to a term of imprisonment in the state penitentiary do not lose any civil rights.</p> <p>In addition to the foregoing, the state provides four avenues to obtain a pardon. <i>See Doe v. Nelson</i>, 680 N.W. 302, 313 (S.D. 2004). First, a person may petition the Board of Pardons and Paroles for an Executive Order pardon pursuant to statutory authority. <i>See Doe</i>, 680 N.W.2d at 309; S.D. Codified Laws § 24-14-11. A pardon issued pursuant to the statute releases a person from all disabilities resulting from a conviction, and seals the criminal record relating to the conviction. <i>See</i> S.D. Codified Laws § 24-14-11.</p> <p>Second, a first (felony) offender who was not convicted of a life felony can apply to the Board of Pardons and Paroles for an “exceptional pardon” 5 years after the person’s release from a Department of Corrections facility if sentenced to prison, or otherwise 5 years after the date of the offense. <i>See</i> S.D. Codified Laws § 24-14-8. The Board can recommend an “exceptional pardon” to the governor, which, if granted, will have the effect of restoring rights and sealing the record just like any other statutory pardon. <i>See</i> S.D. Codified Laws §§ 24-14-10, 24-14-11.</p> <p>Third, a person may apply directly to the governor, who may refer the petition to the Board of Pardons and Parole for a non-binding recommendation pursuant to S.D. Codified Laws § 24-14-5, the granting of which will again remove all disabilities and seal the record. <i>See</i></p>	<p>carry a concealed pistol but denial is not required. <i>See</i> S.D. Codified Laws § 23-7-7.1(2), (7); 23-7-8. It would appear that any restriction on firearms or controlled substance felons would dissipate 5 years after the conviction. <i>See id.</i> For all other felonies, if denied a license on this ground, a pardon with express authorization would enable them to obtain such a license because any one of the four avenues for obtaining a pardon from the governor will restore firearm rights, so long as the restoration is specified in the order. <i>See</i> S.D. Codified Laws § 24-14-12.</p>

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
				<p><i>id.</i> §§ 24-14-5, 24-14-11. Finally, the governor may act on an application pursuant to his own constitutional authority to grant a pardon, which will lift all disabilities but will not seal the record pertaining to the conviction. <i>See</i> S.D. Const. art. 4, § 3; Doe, 680 N.W. at 313.</p> <p>(Expungement and set aside not available).</p>	
Tennessee	<p>None. The maximum authorized term of imprisonment for a misdemeanor in Tennessee is 11 months, 29 days. <i>See</i> Tenn. Code Ann. § 40-35-111(e).</p>	<p>VOTE:</p> <p>No loss for misdemeanor conviction.</p> <p>HOLD OFFICE:</p> <p>Persons convicted of bribery, larceny, or any other “infamous” crime are disqualified from holding office. <i>Id.</i> § 8-18-101(1). Right is restored as for the loss after a felony conviction.</p> <p>SIT ON JURY: Misdemeanor convictions for theft of property or services or any offense punishable as theft, perjury, and subordination of perjury is “incompetent” to sit on a jury. <i>See</i> Tenn. Code Ann. §§ 39-14-105, 39-16-702, 39-16-705.</p>	<p>FIREARMS: Although there does not appear to be a statute that expressly provides that a person loses his right to possess a firearm upon conviction of a misdemeanor, handgun carry permits will not be issued to any person who has been convicted of a disqualifying misdemeanor of driving under the influence, domestic violence, or stalking. <i>See</i> Tenn. Code Ann. § 39-17-1351(c)(6), (11), (16), (18).</p>	<p>VOTE: The Tennessee Constitution provides that the legislature has the authority to render persons convicted of an “infamous” crime ineligible to vote. Tenn. Const. art. 1, § 5. Currently, conviction of a felony renders an individual “infamous” and disqualified from voting. <i>See</i> Tenn. Code Ann. § 40-20-112.</p> <p>RESTORATION: Except for persons convicted of certain felonies for which the right to vote can never be regained, a person convicted before 1973, between 1981 and 1986, and after 1996 and who was rendered infamous or “deprived of the rights of citizenship” can regain the right to vote either by petitioning the court after the expiration of the maximum sentence or upon receiving a pardon. <i>See id.</i> § 40-29-101. A For those convicted between 1986 and 1996, the right to vote is restored automatically and the person can register to vote after obtaining a “certificate of restoration” from prison authorities or from the Board of Probation and Parole, which shall issue upon request. <i>See</i> Tenn. Code Ann. sec. 40-29-105. Currently, persons convicted of voter fraud, treason, murder, rape, bribery, misconduct involving a public official or employee, interference with governmental operations, or any felony sexual offense or violent sexual offense against a minor “shall never be eligible to register and vote in this state.” <i>Id.</i> § 40-29-204.</p> <p>The governor has pardon authority, which can presumably also restore any lost citizenship rights. <i>See</i> Tenn. Const. art. III, § 6; Tenn. Stat. § 40-27-101.</p> <p>HOLD OFFICE: “Every person convicted of a</p>	<p>FIREARMS: A person convicted of a felony is not permitted to obtain a permit to carry a handgun or to purchase a firearm. <i>See</i> Tenn. Code Ann. §§ 39-17-1351(c)(6), (i), 39-17-1316(a). In addition, felony drug offenders and those convicted of any felony offense involving violence or force or attempted use of force or deadly weapon are prohibited from possessing handguns. Tenn. Code Ann. § 39-17-1307(b)(1)(A)-(B).</p> <p>For felony offenders convicted between 1986 and 1996 and not sentenced to the penitentiary, firearms rights are restored automatically and documented through the “certificate of restoration” procedure set forth in sec. 40-29-105(b). <i>See</i> Tenn. Op. Att’y Gen. No. 02-119 (2002). For those who were sentenced after 1996, other than those convicted of a felony involving violence or force or attempted use of force or deadly weapon, the right to purchase a firearm can be restored by pardon, expungement, set aside, or restoration of rights under title 38, chapter 17 [now Title 40,</p>

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State	Misdemeanor		Felony		
	Stat max > 2 years (now or in the past)?	<u>Civil Rights</u>	<u>Firearms Permission</u>	<u>Civil Rights</u>	<u>Firearms Permission</u>
				<p>felony or an infamous crime and sentenced to the penitentiary, either on the state or federal level, is disqualified from qualifying for, seeking or holding any office under the authority of this state unless and until the person's citizenship rights have been restored by a court of competent jurisdiction." Tenn. Code Ann. § 40-20-114. But persons convicted of accepting or receiving any gift, promise, benefit, or gratuity as an executive, legislative, or judicial officer "shall forever afterwards be disqualified from holding any office under the laws or constitution of this state." <i>Id.</i> § 39-16-103.</p> <p>RESTORATION: After 1996, the right to hold office may be restored only through judicial procedure, <i>id.</i> § 40-20-114, but for those convicted before 1996, the right is restored automatically (except for certain designated offenses) after pardon, final release from incarceration or supervision, or expiration of the maximum sentence upon issuance of the certificate of restoration. <i>Id.</i> § 40-29-105; Tenn. Op. Att'y Gen. No. 02-119 (2002).</p> <p>SIT ON JURY: Persons convicted of "infamous crimes" "as specified in the code" are disqualified from jury service as "incompetent." <i>Id.</i> § 22-1-102. A person convicted of a felony is rendered "infamous" under § 40-20-112, which presumably means infamous for jury purposes. Also incompetent are persons "convicted of any offense involving the theft of property or services or any offense punishable as theft" and of "perjury or subornation of perjury." <i>Id.</i> The code further specifies that persons convicted of conspiracy to take human life or to injure persons or destroy property are not "competent to sit or serve on any grand or traverse jury." <i>Id.</i> § 40-12-102.</p> <p>Prior to 1981, the code listed "infamous crimes" more narrowly to include: abusing a female child, arson and felonious burning, bigamy, burglary, felonious breaking and entering a dwelling house, felonious breaking into a business house or an outhouse other than a</p>	<p>chapter 29, <i>see</i> Tenn. Admin. Code § 1340-2-4-.07(6)(c)] . <i>See</i> Tenn. Code Ann. § 39-17-1316(a)(2). In addition, the right to obtain a permit to carry a handgun can be restored if the conviction has been set aside, or the person has had full civil rights restored pursuant to the procedure set forth in title 38, chapter 17 [now Title 40, chapter 29, <i>see</i> Tenn. Admin. Code § 1340-2-4-.07(6)(c)] unless the person was convicted of burglary, any felony offense involving violence or use of a firearm or any felony drug offense involving a Schedule I, II, III, IV or V controlled substance. <i>See</i> Tenn. Code Ann. § 39-17-1351(j)(3).</p> <p>Title 40, chapter 29 permits a person to petition the court where he resides or was convicted for full restoration of rights immediately upon obtaining a pardon, or upon expiration of the maximum sentence imposed for the crime. <i>See</i> Tenn. Code Ann. § 40-29-105(c)(1), (2). There is a presumption that such a petition will be granted. <i>See id.</i> at § 40-29-105(c)(3). A person convicted of a felony drug offense involving a Schedule VI controlled substance must wait 10 years from the date that civil rights are restored before applying for a permit to carry a handgun. <i>See id.</i></p>

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
				<p>dwelling house, bribery, buggery, counterfeiting, violating any of the laws to suppress the same, forgery, incest, larceny, horse-stealing, perjury, robbery, receiving stolen property, rape, sodomy, stealing bills of exchange or other valuable papers, subornation of perjury, and destroying a will. <i>See</i> Tenn. Code Ann. § 40-2712 (1980). It thus appears that there were felonies before 1981 (those not specified in the code) that would not have resulted in the loss of the right to serve on a jury.</p> <p>RESTORATION: As with holding office, the right to serve on a jury may be restored only through judicial process, even if pardoned. For persons convicted before 1996, the automatic restoration process specified in § 40-29-105(b)(3) appears to apply.</p> <p><u>Expungement</u> not available. <i>See</i> Tenn. Stat. § 40-32-101(a)(1)(E).</p>	<p>A person who has been convicted of a violent felony or felony drug offense can never regain the right to possess a handgun, even if his civil rights have been restored pursuant to 40-29-101 <i>et seq.</i>, or the conviction has been pardoned, expunged, or set aside. <i>See State v. Johnson</i>, 79 S.W.3d 522 (Tenn. 2002); Tenn. Code Ann. § 39-17-1316(a)(2) (permitting sale of firearm to felon if person has been pardoned, conviction has been expunged or set aside, or person's rights have been restored pursuant to now-title 40, chapter 29, <i>and</i> person is not prohibited from possessing a firearm under § 39-17-1307).</p>
Texas	None.	<p>SIT ON JURY: A person is disqualified from serving on a petit jury if s/he has been convicted of misdemeanor theft or a felony or is under indictment for a misdemeanor theft or felony. Tex. Gov't Code Ann. § 62.102(7)-(8). Misdemeanor theft was added in 2005. Tex. Stats. 2005 79th Leg. Sess., Ch. 801 (S.B. 451), § 4, effective September 1, 2005.</p> <p>A full, unconditional pardon serves to release the disability. Tex. Admin. Code § 141.111.</p>	<p>FIREARMS: As of 2003, a person convicted of a misdemeanor domestic violence offense is prohibited from possessing a firearm for five years after the date of the person's release from confinement or release from community supervision. Tex. Penal Code § 46.04(b).</p> <p>The statute does not require the person to take any affirmative action to restore the right after the expiration of the applicable time period.</p>	<p>VOTE: Upon conviction of "any felony," a person is "not allowed" to vote. Tex. Const. art. 6, § 1. As of 1997, the right is automatically restored if the person has "fully discharged" his sentence, "including any term of incarceration, parole, or supervision, or completed a period of probation ordered by any court" or has been "pardoned or otherwise released from the resulting disability to vote." Tex. Elec. Code Ann. § 11.002 (4).</p> <p>HOLD OFFICE: A person who has been finally convicted of a felony from which the person has not been pardoned or otherwise released from the resulting disabilities is "not eligible" to hold office. Tex. Elec. Code § 141.001(a)(4). The right is restored by pardon, which serves to release any disabilities. Tex. Admin. Code § 141.111. The governor has the power to pardon "in all criminal cases, except treason and impeachment." Tex. Const. art. 4, § 11(b); Tex. Crim. Proc. Code art. 48.01.</p> <p>SIT ON JURY: A person is disqualified from</p>	<p>FIREARMS: A person convicted of a felony is prohibited from possessing a firearm for five years after the date of the person's release from confinement or release from community supervision, parole, or mandatory supervision, whichever is later. Tex. Penal Code § 46.04(a). After that period, the person may possess a firearm, but only at the premises at which he lives. <i>Id.</i> 46.04(a)(2).</p> <p>Restoration of the right to possess a firearm in the home after five years is automatic, and in a state prosecution for felon in possession, the burden of proving the date of release from confinement for the prior felony conviction is</p>

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State	Misdemeanor		Felony		
	Stat max > 2 years (now or in the past)?	<u>Civil Rights</u>	<u>Firearms Permission</u>	<u>Civil Rights</u>	<u>Firearms Permission</u>
				<p>serving on a petit jury if s/he has been convicted of misdemeanor theft or a felony or is under indictment for a misdemeanor theft or felony. Tex. Gov't Code Ann. § 62.102(7)-(8). The right is restored by pardon, which serves to release any disabilities. Tex. Admin. Code § 141.111.</p> <p><u>Expungement</u> available only for first offender violations relating to unlawful drinking and underage tobacco use, and otherwise for dismissals, acquittals, vacated or pardoned convictions, or uncharged arrests. See Tex. Stat. §§ 101.73, 106.12, 161.255; Tex. C. Cr. P. Art. 55.01).</p> <p><u>Set aside.</u> Available to a person placed in community supervision after adjudication, during which time a sentence of imprisonment or confinement, imprisonment and fine, or confinement and fine, is probated and the imposition of sentence is suspended in whole or in part. See Texas C. Cr. P. Art. 42.12, §§ 1, 2(2)(B), 3. Community supervision is not available to a person sentenced to a term of imprisonment of more than 10 years or to a term of confinement for a “state jail felony,” or for a conviction of murder, capital murder, indecency with a child, aggravated kidnapping, aggravated sexual assault, aggravated robbery, a health and safety code violation involving use of a child or a within school zone, sexual assault, or any conviction involving use of or exhibiting a deadly weapon. See <i>id.</i> at § 3(e)(1)-(2), 3g(a).</p> <p>Upon discharge following successful completion of the conditions of community supervision, the court can set aside the verdict and dismiss the charging documents, which removes all civil rights penalties or disabilities. See <i>id.</i> at § 20(a). A “set aside” is not available for a conviction of driving, flying, boating or assembling or operating an amusement park ride while intoxicated; intoxication assault or manslaughter; a registrable sex offense; or an offense punishable as a state jail felony. See <i>id.</i> at § 20(b).</p>	<p>on the government. See <i>McClure v. State</i>, 2006 WL 1791628 (unreported) (June 30, 2006).</p> <p>A full pardon restores the right to possess a firearm without regard to the limitations in Tex. Penal Code § 46.04. See Tex. Op. Att’y Gen. No. JC-0396 (2001) (the prohibitions of Tex. Penal Code § 46.04 do not apply to a felon who has been unconditionally pardoned).</p>

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
Utah	<p>None. The maximum term of imprisonment for a misdemeanor is one year. Utah Code Ann. § 76-3-204.</p>	<p>VOTE: A person convicted of a "crime against the elective franchise" may not vote until the right is restored as provided by statute. Utah Const. art. IV, sec. 6; Utah Code § 20A-2-101.5; Utah Code §§ 77-18-11, -13(3).</p> <p>HOLD OFFICE: A person convicted of a "crime against the elective franchise" may not hold elective office until the right is restored as provided by statute. Utah Const. art. 4, § 6; Utah Code §§ 20A-2-101.5, 77-18-11, -13(3). Presumably, a misdemeanor offenses such as receiving a bribe or bribery for endorsement of person as public servant or threats to influence official or political action are "crimes against the elective franchise. See Utah Code Ann. § 76-8-106. As with felony offenses, the right to hold office is automatically restored upon expungement or after ten years have passed, all financial obligations have been satisfied, and probation has been completed, parole, granted or the person has successfully completed the term of incarceration. Utah Code Ann. § 20A-2-101.5.</p>	<p>FIREARMS: Prior to 2000, no person convicted of a crime of violence under Utah law, whether a misdemeanor or felony, could possess a firearm. Utah Code Ann. § 76-10-503(1)(a) (1999). As of 2000, however, a person convicted of a misdemeanor can possess a firearm. See Utah Code Ann. § 76-10-503.</p>	<p>VOTE: Persons may not register to vote who have "been convicted of a felony" and "whose right to vote has not been restored." Utah Code Ann. § 20A-2-101(2)(b). The right is restored automatically when (a) the felon is sentenced to probation; (b) the felon is granted parole; or (c) the felon has successfully completed the term of incarceration to which the felon was sentenced. Utah Code Ann. § 20A-2-101.5.</p> <p>HOLD OFFICE: Any person convicted of a felony, or any person convicted of treason or a crime against the elective franchise is "not eligible" to hold office in Utah unless right to hold elective office is restored under Section 20A-2-101.5. See Utah Const. art. IV, § 6; Utah Code Ann. § 20A-9-203. A person may be removed for "high crimes and misdemeanors" or malfeasance in office. Utah Code Ann. § 77-5-1 (impeachment of governor and other state officers), § 77-6-1 (justices of the peace and municipal officers). Before 2006, there was no specific statutory provision setting forth the conditions for automatic restoration of the right to hold office. Although subject to complex eligibility requirements, <i>see infra</i>, a person can petition the court for expungement of the criminal record, which allows the person to respond as though the conviction had not occurred. Utah Code Ann. §§ 77-18-11, -13(3).</p> <p>In 2006, the legislature provided for automatic restoration of the right to hold office when (a) all of the person's felony convictions have been expunged, or if there is a felony conviction that has not been expunged, (b) ten years have passed since the date of the most recent felony conviction, all restitution and fines have been paid, and probation has been completed, parole granted, or the person has successfully completed the term of incarceration. See 2006 Utah Laws ch. 28 (S.B. 47), <i>amending</i> Utah Code Ann. § 20A-2-101.5</p> <p>Petition to court is available for <u>expungement</u> after the petitioner's release from incarceration,</p>	<p>FIREARMS: In 1997, no person convicted of a crime of violence under Utah law, whether a misdemeanor or felony, could possess a firearm. In 2000, however, the Utah legislature changed its law so that only a person convicted of a felony is prohibited from possessing a firearm, including those sentenced only to probation. Utah Code Ann. § 76-10-503(a)(ii).</p> <p>Firearms restrictions may be removed by expungement (if eligible under § 77-18-12) and pardon.</p>

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State	Misdemeanor		Felony		
	Stat max > 2 years (now or in the past)?	<u>Civil Rights</u>	<u>Firearms Permission</u>	<u>Civil Rights</u>	<u>Firearms Permission</u>
				<p>parole, or probation, whichever occurs last, and all fines ordered by the court have been satisfied for a felony conviction according to the following schedule: 15 years for multiple Class B or C misdemeanors; 10 years for enumerated misdemeanor driving offenses or a felony controlled substances offense; 7 years for any other felony; 5 years for Class A misdemeanors; 3 years for any other misdemeanor or infraction. <i>See Utah Stat. §§ 77-18-11, 77-18-12.</i> A court cannot expunge a conviction for the following felonies: capital, 1st degree, 2nd degree forcible, any sexual act against a minor, and any offense for which a certificate of eligibility may not issue. <i>See Utah Code Ann. § 77-18-11(11).</i> In addition to the above-listed excluded offenses, a certificate of eligibility cannot issue for automobile homicide, driving under the influence, or a registrable sex offense. It also will not issue to anyone with two or more prior felony convictions not arising out of a single criminal episode; or who has had a felony expunged previously; or who has had 2 or more misdemeanors expunged previously unless they would be classified as class B or class C misdemeanors in Utah and 15 years have passed since these misdemeanor convictions; or who was convicted of a crime subsequent to the crime for which expungement is sought; or who has a combination of three or more convictions not arising out of a single criminal episode, regardless of the class of offense or whether the convictions were expunged. <i>See Utah Code Ann. § 77-18-12(1)(a).</i></p> <p>The Board of Pardons holds pardon authority. <i>See Utah Const. art. VII, § 12; Utah Code Ann. § 77-27-5(1)(a).</i> A person can petition the Board for a pardon no sooner than 5 years after discharge of sentence and after exhausting all available judicial remedies, including expungement. <i>See Utah Admin. Code § R671-315.</i> Expungement is not an available remedy for a number of felony offenders (see above) and thus the lack of an expungement would not preclude seeking a pardon from the Board.</p>	

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
				<p>SIT ON JURY: A person who has been convicted of a felony that has not been expunged is not competent to serve as a juror. Utah Code Ann. § 78-46-7. Eligibility for <u>expungement</u> is limited and subject to complex requirements and varying time periods. <i>See</i> Utah Code Ann. §§ 77-18-11, -12. At its most basic, a court may not expunge a conviction of:</p> <ul style="list-style-type: none"> (a) a capital felony; (b) a first degree felony; (c) a second degree forcible felony; (d) any sexual act against a minor; or (e) an offense for which a certificate of eligibility may not be issued under Section 77-18-12. Utah Code Ann. § 77-18-11(11). Section 77-18-12 sets forth these and other circumstances for which a certificate of eligibility for expungement may not be issued (see also above). Pardon is also ostensibly available for a person to regain jury rights. <i>See</i> Utah Admin. Code § R671-315 (“The Board will consider a petition for a pardon from an individual whose sentence(s) have been terminated or expired for at least five years and who has exhausted all judicial remedies including expungement.”). 	
Vermont	None. A misdemeanor is defined as any offense for which the maximum term of imprisonment is two years. Vt. Stat. Ann., § 1.	No civil rights are lost upon conviction of a misdemeanor.	FIREARMS:	<p>VOTE: A person convicted of a felony does not lose the right to vote. <i>See</i> Vt. Stat. Ann. tit. 17, § 2121. Moreover, a person who is convicted of a crime shall retain the right to vote during the term of commitment. Vt. Stat. Ann. tit. 28, § 807.</p> <p>HOLD OFFICE: A person convicted of a felony does not lose the right to hold office. The only qualification to run for office is gathering the requisite number of signatures on a petition. Vt. Stat. Ann. tit. 17, §2353.</p> <p>SIT ON JURY: A person convicted of a felony and sentenced to a term of imprisonment is disqualified from jury service. Vt. Stat. Ann. tit. 4, § 962(a)(5); Vt. Stat. Ann. tit. 12, § 64. The right can only be regained through pardon, and pardon authority is vested exclusively in the Governor. Vt. Const. ch. II, § 20.</p>	FIREARMS: A person convicted of a felony does not lose the right to possess a firearm, though a court may prohibit the possession of firearms as a condition of probation. <i>See State v. Kasper</i> , 566 A.2d 982, 984 (Vt. 1989)

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State	Misdemeanor		Felony		
	Stat max > 2 years (now or in the past)?	<u>Civil Rights</u>	<u>Firearms Permission</u>	<u>Civil Rights</u>	<u>Firearms Permission</u>
				<p><u>Expungement.</u> Only people convicted of criminal contempt for violating a court order issued under the chapters against stalking or sexual abuse can have the conviction expunged, if 2 years after conviction and no more convictions of a felony or misdemeanor involving moral turpitude or a violation of a protection order after such initial adjudication. <i>See</i> Vt. Stat. Ann. tit. 12, § 5138(b), tit. 15, § 1108(e).</p> <p>Expungement is also available if the court enters a judgment of guilt but defers sentencing and instead places the defendant on probation. <i>See</i> Vt. Stat. Ann. tit. 13, § 7041(a). Although not labeled as such, the procedure is similar to a “set aside” because if the defendant fulfills the terms of probation, the court can “strike the adjudication of guilt” and discharge the defendant. <i>See id.</i> at § 7041(d). Deferred sentencing is available only upon written agreement with the state. “In effect, § 7041 conditions the court’s power to expunge a criminal conviction on the agreement of the prosecutor.” <i>State v. Pierce</i>, 657 A.2d 192, 195 (Vt. 1995). The state supreme court has noted in discussing § 7041 that “[a] deferred sentence is more akin to a conditional pardon—a power reserved to the executive—than to a judicially imposed sentence based on an adjudication of guilt.” <i>See id.</i> at 195.</p> <p>The only other way to get an expungement is if the defendant is 28 or younger and the offense is not stalking; aggravated stalking; domestic assault; first degree or second degree aggravated domestic assault; sexual assault; aggravated sexual assault; lewd or lascivious conduct; lewd or lascivious conduct with a child; murder; aggravated murder; manslaughter; aggravated assault; assault and robbery with a dangerous weapon; arson causing death; assault and robbery causing bodily injury; maiming; kidnapping; unlawful restraint in the second degree or first degree; recklessly endangering another person;</p>	

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
				<p>violation of certain abuse prevention orders; operating vehicle under the influence of intoxicating liquor or other substance with either death or serious bodily injury resulting; careless or negligent operation resulting in serious bodily injury or death; leaving the scene of an accident with serious bodily injury or death; burglary into an occupied dwelling; and abuse, abuse by restraint, neglect, sexual abuse, financial exploitation, and exploitation of services. <i>See</i> Vt. Stat. Ann. tit. 13, §§ 5301(7), 7041(b)(2).</p> <p>(Expungement is otherwise available only upon completion of deferred sentence or for certain juvenile records. <i>See</i> Vt. Stat. Ann. tit. 12, § 5138(b), tit. 13, § 7041(d), tit. 15, § 1108(e), tit. 33, § 5538).</p>	
Virginia	None.	<p>VOTE: Misdemeanor convictions do not result in losing the right to vote.</p> <p>HOLD OFFICE: As of March 9, 2007, a person convicted of any offense for which registration under the state sex offender registration laws is required must forfeit public office and is disqualified from holding office. <i>See</i> 2007 Va. ALS 175, amending Va. Code Ann. § 24.2-231. Virginia requires registration for some misdemeanor sex offenses, including, for example, sexual battery. <i>See</i> Va. Code Ann. § 18.2-67.4.</p> <p>SIT ON JURY: Misdemeanor convictions do not result in losing the right to sit on a jury.</p>	<p>FIREARMS: Persons convicted of two misdemeanor drug offenses within a thirty-six consecutive month period is ineligible to purchase or transport a firearm. Va. Code Ann. § 18.2-308.1:5. “The ineligibility shall be removed” (presumably automatically) upon expiration of five years from the date of the second conviction if the person has not been convicted of any other such offense. <i>Id.</i></p>	<p>VOTE: “No person who has been convicted of a felony shall be a qualified voter unless his civil rights have been restored by the Governor or other appropriate authority.” Va. Code Ann. § 24.2-101.</p> <p>A person who was not convicted of a “violent felony,” an enumerated felony drug offense, or felony election fraud, can restore voting rights by petitioning the court in which he was convicted or in which he currently resides for restoration of the right to vote. <i>See</i> Va. Stat. § 53.1-231.2. The court can grant the petition if it finds that 5 years have passed since completion of the sentence, including parole, probation, or suspension of sentence; that the petitioner has demonstrated civic responsibility through community or comparable service; and that the petitioner has been free from criminal convictions, excluding traffic infractions, for the same period. If the court grants the petition, it is then sent to the governor for final approval or disapproval. If approved, the governor will issue a Certificate of Restoration of the Right to Vote. <i>Id.</i></p> <p>A person may also apply directly to the governor for a pardon, which will restore voting and other rights lost upon conviction. <i>See</i> Va. Const. art.</p>	<p>FIREARMS: A person convicted of a felony, any person adjudicated delinquent on or after July 1, 2005, as a juvenile 14 years of age or older of the offense of murder, kidnapping, robbery with firearms, or rape, or any person under the age of 29 who was adjudicated delinquent as a juvenile 14 years of age or older at the time of the offense of a delinquent act that would be a felony if committed by an adult cannot possess a firearm, except such person can possess a taser or stun weapon in the person’s residence or curtilage. Va. Code Ann. § 18.2-308.2.</p> <p>Firearm rights can be restored by pardon or restoration of rights. <i>See id.</i> Alternatively, a person for whom civil rights have been restored except for firearm rights can thereafter petition a court for a permit to</p>

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
				<p>V, § 12; <i>In re Phillips</i>, 574 S.E.2d 270, 273-73 (Va. 2003).</p> <p>HOLD OFFICE: The right to hold office is tied to the right to vote; accordingly, a felony conviction will disqualify a person from holding public office. <i>See</i> Va. Code Ann. § 24.2-500. A person holding public office at the time of conviction forfeits the office, and “a pardon which may be afterwards granted him shall not void the forfeiture.” <i>See</i> Va. Code Ann. § 24.2-231. However, a pardon from the governor will restore the right to hold public office in the future.</p> <p>SIT ON JURY: Persons convicted of treason or a felony are “disqualified from serving as jurors.” Va. Code Ann. § 8.01-338. A pardon from the governor restores the right to sit on the jury.</p> <p>(Expungement available only if dismissed, acquitted, <i>nolle prosequat</i>, or after pardon. <i>See</i> Va. Code Ann. § 19.2-392.2).</p>	possess or carry a firearm. <i>See id.</i>
Washington	None. Washington does not punish any misdemeanors over one year. <i>See</i> Wash. Rev. Code § 9A20.021.	It does not appear that any civil rights are lost upon conviction of a misdemeanor.	<p>FIREARMS: A person convicted after July 1, 1993 of the following misdemeanors when committed by one family or household member against another commits a felony if he or she possesses a firearm: assault in the fourth degree, coercion, stalking, reckless endangerment, criminal trespass in the first degree. Wash. Rev. Code § 9.41.040(2)(a)(i).</p> <p>A person who has lost firearms rights due to a misdemeanor conviction may petition the court for restoration of his right to possess a firearm after “three or more consecutive years in</p>	<p>VOTE: “All persons convicted of an infamous crime . . . are excluded from the elective franchise.” Wash. Const. art. VI, § 3. “Infamous crimes” are defined as those “punishable by death in the state penitentiary or imprisonment in the state correctional facility.” Wash. Rev. Code § 29A.04.079. Offenses punishable by imprisonment in the state correctional facility are felonies only. <i>Id.</i> § 9A.20.021(2)-(3) (misdemeanors punishable by imprisonment in the county jail).</p> <p>Discharge of sentence “shall have the effect of restoring all civil rights lost by operation of law upon conviction, and the certificate of discharge shall so state.” <i>Id.</i> § 9.94A.637(4), 9.96.050. In addition, the governor is vested with the power to pardon, which effectively vacates the conviction, and to restore all civil rights thereby. Wash. Const. art. III, § 9.; Wash. Rev. Code § 9.96.010.</p>	<p>FIREARMS: Persons convicted of any felony cannot possess a firearm or obtain a license to carry a concealed pistol. Wash. Rev. Code §§ 9.41.040(1)(a), (2)(a)(i), 941.070(1)(a).</p> <p>A person who has not been previously convicted of a sex offense prohibiting firearm ownership or any Class A felony or felony with a maximum sentence of at least twenty years may petition the court for restoration of his right to possess a firearm after “five or more consecutive years in the community” without any other convictions</p>

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State	Misdemeanor		Felony		
	Stat max > 2 years (now or in the past)?	<u>Civil Rights</u>	<u>Firearms Permission</u>	<u>Civil Rights</u>	<u>Firearms Permission</u>
			<p>the community” without any other convictions. Wash. Rev. Code § 9.41.040(4).</p>	<p>HOLD OFFICE: Persons who are not “electors” (<i>i.e.</i>, eligible to vote, <i>see State ex rel. Hubbard v. Lindsay</i>, 52 Wn.2d 397, 403 (Wash. 1958)) are not “competent to qualify for or hold any elective public office within the state of Washington, or any county, district, precinct, school district, municipal corporation or other district or political subdivision.” Wash. Rev. Code § 42.04.020. Being tied to the right to vote, the restoration processes for regaining the right to vote apply as well to the right to hold office.</p> <p>SIT ON JURY: A person who has been convicted of a felony and has not had his or her civil rights restored “shall not be competent to serve as a juror in the State of Washington.” Wash. Rev. Code § 2.36.070. Restoration of civil rights in this context is also the same as for restoring the right to vote. Wash. Rev. Code § 9.94A.637.</p> <p><u>Expungement.</u> None.</p> <p>(Washington has a form of discharge that is similar to an expungement but is not considered an expungement as a matter of law. <i>See State v. Keyes</i>, 131 Wash.App. 1042 (Wash. App. Ct. 2006) (Table) (a “washed out” conviction under Wash. Stat. § 9.94A.640 is not an expungement). Until July 1, 2007, any person who has received a discharge of sentence pursuant to § 9.94A.637 can petition the court to vacate the record of conviction by permitting the defendant to withdraw a guilty plea and entering a plea of guilty or setting aside a guilty verdict, and thereafter dismissing the information or indictment. <i>See</i> Wash. Rev. Code § 9.94A.640(1); <i>id.</i> at 9.96.060 (same for misdemeanors). Vacating the sentence releases the person from all disabilities arising from the conviction. <i>See id.</i> at § 9.94A.640(3). The procedure is unavailable to anyone convicted of a “violent offense” or a “crime against persons,” or to anyone who has been convicted of another crime since the discharge of sentence at issue in</p>	<p>or charges. Wash. Rev. Code § 9.41.040(4). Any other person may have firearm rights restored “if the conviction was the subject of a pardon, annulment, certificate of rehabilitation, or other equivalent procedure based on a finding of the rehabilitation of the person convicted or the conviction or disposition has been the subject of a pardon, annulment, or other equivalent procedure based on a finding of innocence.” <i>See id.</i> at § 9.41.040(3). A pardon could satisfy this requirement depending on the language and basis of the restoration of rights accompanying the pardon. <i>See</i> Wash. Const. art. III, § 9; Wash. Rev. Code § 9.96.010.</p> <p>Relief from the Treasury Department pursuant to 18 U.S.C. § 925(c), or a conviction that falls under 18 U.S.C. § 921(a)(20)(A) (antitrust offenses, unfair trade practices, restraints of trade or similar offenses) is the only other way to restore firearm rights. <i>See</i> Wash. Rev. Code § 9.41.070(1), (3).</p>

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
				<p>the application, or to anyone with pending criminal charges at the time of application. <i>Id.</i> § 9.94A.640(2). A person with a Class B felony conviction must wait at least 10 years from discharge before seeking to vacate the conviction, and a person with a Class C felony must wait at least 5 years. <i>See id.</i> Effective July 1, 2007, people with Class C felony convictions for driving under the influence or physically controlling a vehicle while under the influence will also have to wait 10 years before applying. <i>See id.</i> (eff. 2007))</p> <p>(Expungement also available for juvenile records. <i>See</i> Wash. Rev. Code § 13.50.050).</p> <p><u>Set Aside.</u> Civil rights for offenders who are sentenced to probation may also be restored upon application to the court to “set aside” the verdict any time between discharge from probation and the expiration of the maximum period of punishment for the offense. <i>See</i> Wash. Stat. § 9.95.240.</p>	
West Virginia	West Virginia does not punish any misdemeanors for a term of imprisonment over one year.	<p>VOTE: A person convicted of treason or bribery in an election is not eligible to vote “while such disability continues. There are some bribery offenses related to elections that are misdemeanors, such as bribery of an elector by a candidate. <i>See</i> W. Va. Code Ann. § 3-9-12. If a conviction for this offense forfeits the right to vote (which is not clear), the right to vote would be automatically restored upon completion of the sentence as for felony offenses.</p> <p>HOLD OFFICE: As with the felony bribery offenses, a misdemeanor “bribery in an election” conviction permanently disqualifies a person from holding office. W. Va. Const. art. VI, § 45.</p>	FIREARMS: A person does not lose any firearms rights upon conviction of a misdemeanor.	<p>VOTE: “No person who is a minor, or of unsound mind, or a pauper, or who is under conviction of treason, felony, or bribery in an election may vote “while such disability continues.” W. Va. Const. art. IV, § 1; W. Va. Code Ann. § 3-1-3. Based on the words “under conviction” and “while such disability continues,” the West Virginia Supreme Court of Appeals has held that disfranchisement does not continue after the punishment has been served. <i>See Osborne v. Kanawha County Court</i>, 68 W. Va. 189, 69 S.E. 470 (W.Va.1910); <i>see also</i> 55 Op. W.Va. Att’y Gen. 3 (1972); 51 Op. W. Va. Att’y Gen. 182 (1965). The right to vote is restored automatically upon completion of sentence, including parole. <i>See Webb v. County Court of Raleigh County</i>, 168 S.E. 760 (W. Va. 1933); 51 Op. W. Va. Att’y Gen. 182 (1965).</p> <p>HOLD OFFICE: “No person who has been, or hereafter shall be convicted of bribery, perjury, or other infamous crimes, shall be eligible to a seat in the legislature.” W. Va. Const. art VI, §</p>	<p>FIREARMS: Persons convicted in any court of a crime “punishable by imprisonment for a term exceeding one year” are prohibited from possessing a firearm. <i>See</i> W. Va. Code Ann. § 61-7-7.</p> <p>Except for persons convicted of a felony crime of violence against the person of another, a felony sexual offense, or a felony drug offense (not marijuana), persons prohibited from possessing a firearm may petition the court to regain the ability to possess a firearm. W. Va. Code Ann. § 61-7-7(c). The individual must prove by clear and convincing evidence that s/he is “competent and capable of</p>

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State	Misdemeanor		Felony		
	Stat max > 2 years (now or in the past)?	<u>Civil Rights</u>	<u>Firearms Permission</u>	<u>Civil Rights</u>	<u>Firearms Permission</u>
		<p>SERVE ON JURY: As with felony convictions, this right is tied by statute to the right to vote. W. Va. Code Ann. § 52-1-8(b)(5). Restoration is automatic as stated by the state attorney general in 1965, but federal courts have concluded that the right to serve on a jury is permanently lost upon a qualifying conviction. Thus whether restoration is automatic after service of a misdemeanor sentence would seem to be as unclear as for felony convictions.</p>		<p>14. Nor can the person hold office. W. Va. Code Ann. § 6-5-5. The disability continues while “such conviction remains unreversed.” <i>Id.</i> A felony is an infamous offense. <i>State v. Maynard</i>, 289 S.E.2d 714, 718 (1982). The statutory phrase “remains unreversed” is construed to disqualify a person from holding public office only until he has paid the full penalty of the law. <i>See Webb v. Raleigh County Court</i>, 168 S.E. 760 (W. Va. 1933); <i>Nibert v. Carroll Trucking Co.</i>, 82 S.E.2d 445, 452 (1954). After the full penalty is paid, the right to hold office is automatically restored except if the conviction is for felony bribery or attempted bribery of a state officer. Such a person is constitutionally and statutorily permanently disqualified from holding any office in West Virginia. W. Va. Const. art. VI, § 45; W. Va. Code Ann. §§ 61-5-5, -5-5, and -5A-9.</p> <p>SERVE ON JURY: A person who “has lost the right to vote because of a criminal conviction,” or has been convicted of an “infamous offense” is disqualified from jury service in the courts of West Virginia. W. Va. Code § 52-1-8.(b)(5), (6). Whether the right to serve on a jury is restored automatically upon completion of sentence is unclear. In 1965, the state attorney general ruled that the right to serve on a jury is restored automatically upon completion of the sentence, but federal courts have reached the opposite conclusion in order to hold that the right to serve on a jury is permanently lost upon conviction of a felony so that a federal defendant’s civil rights were not substantially restored for purposes of criminal liability under 18 U.S.C. § 922(g). <i>See, e.g., United States v. Morrell</i>, 61 F.3d 279 (4th Cir. 1995); <i>United States v. Berger</i>, 867 F. Supp. 424, 430 (4th Cir. 1994). In any event, the governor has pardon power and, presumably, a pardon would restore the jury right. <i>See W.Va. Const. art. VII, § 11; W. Va. Code Ann. §§ 5-1-16.</i></p> <p>(Expungement available only for dismissed or</p>	<p>exercising the responsibility concomitant with the possession of a firearm.” <i>Id.</i></p> <p>A pardon does not restore firearms rights. <i>Perito v. County of Brooke</i>, 597 S.E.2d 311 (W. Va. 2004).</p>

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
				acquitted charges. <i>See</i> W. Va. Code Ann. § 61-11-25).	
Wisconsin	<p>Misdemeanor sentences do not exceed nine months in a local jail, but “a maximum term of imprisonment of one year or less may be increased to not more than 2 years” for a habitual offender. <i>See</i> Wis. Stat. §§ 939.51, 939.62(1)(a). Prior to February 1, 2003, the habitual offender statute provided that a “maximum term of one year or less may be increased to not more than 3 years.” Wis. Stat. § 939.62(1)(a) (2001), <i>amended</i> by Wis. Act. 109 (S.B. 1), sec. 562 (eff. Feb. 1, 2003).</p>	<p>VOTE: A person loses the right to vote only upon conviction of “treason, felony, or bribery.” Wis. Stat. § 6.03(1)(b).</p> <p>Bribery of a participant in a contest is a Class A misdemeanor, with a maximum penalty of nine months. <i>See</i> Wis. Stat. § 945.08; Wis. Stat. § 939.51. Bribery of an agent is a misdemeanor with a maximum penalty of nine months. Wis. Stat. § 134.05.</p> <p>The right is automatically restored after completion of the term of imprisonment or probation. Wis. Stat. § 304.078(3). (Pardon not available to misdemeanants. <i>See</i> Executive Clemency, http://www.wi-doc.com/index_adult.htm.)</p> <p>Misdemeanor convictions may be expunged only if committed before age 21. Wis. Stat. § 973.015.</p> <p>HOLD OFFICE: A person is incompetent to hold office upon conviction of a federal misdemeanor involving violation of the public trust or any state misdemeanor involving a violation of the public trust. Wis. Const. art. 13, § 3. Restored only by pardon, <i>id.</i>, but pardon not available to misdemeanants. <i>See</i> http://www.wi-doc.com/index_adult.htm.</p>	<p>FIREARMS: Conviction of a misdemeanor does not result in the loss of firearms rights.</p>	<p>VOTE: A person loses the right to vote upon conviction of “treason, felony, or bribery.” Wis. Stat. § 6.03(1)(b)(3). The right is restored upon pardon or by automatic restoration after completion of the term of imprisonment (including parole) or probation. Wis. Stat. § 304.078.</p> <p>HOLD OFFICE: Right to hold public office is lost upon conviction of a felony. Wis. Const. art. 13, § 3. The right is restored only upon pardon. <i>Id.</i></p> <p>SIT ON JURY: A person convicted of a felony is not qualified to serve on a jury. Wis. Stat. § 756.02. The right can be restored either by pardon or by automatic restoration after completion of the sentence. Wis. Stat. § 304.078(2). Restoration by the board of parole will not restore the right to serve as a juror.</p> <p>Expungement available only for misdemeanors punishable by no more than one year committed before age 21, or misdemeanor invasion of privacy committed before age 18. Wis. Stat. § 973.015.</p>	<p>FIREARMS: A person convicted of a crime that is a felony in Wisconsin or from another state that would be a felony in Wisconsin is prohibited from possessing a firearm. Wis. Stat. § 941.29(1)(a)-(b), (2).</p> <p>The right is restored only upon pardon. Wis. Stat. § 941.29(5).</p>
Wyoming	None. The	No civil rights are lost upon	FIREARMS: Effective	VOTE: A person is “incompetent” to vote upon	FIREARMS: A person

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
	maximum punishment for a misdemeanor is one year. Wyo. Stat. Ann. § 6-10-101.	conviction of a misdemeanor.	2004, a person convicted of a misdemeanor resulting in a loss of firearms rights may petition for expungement of the records to restore “any firearms rights lost.” Wyo Stat. Ann. § 7-13-1501. This provision appears to be aimed at federal firearms rights lost as a result of misdemeanor domestic violence convictions. <i>See Kegler v. United States DOJ</i> , 436 F. Supp. 2d 1204 (D. Wyo. 2006). Whether the expungement will remove the federal liability remains to be seen. <i>Id.</i> (dismissing for lack of jurisdiction).	conviction of a felony. Wyo. Stat. Ann. § 6-10-106(a). The right is restored by pardon or restoration of voting rights by the Governor after the expiration of the sentence, including probation -- or (effective July 1, 2003) if a first-time offender convicted of a nonviolent felony or felonies, by the board of parole five years after all the expiration of the terms of sentence, including probation. Wyo. Stat. Ann. § 7-13-105. HOLD OFFICE: A person convicted of a felony is incompetent to hold public office. Wyo. Stat. Ann. § 6-10-106(a). The right is restored upon a pardon or restoration of civil rights <i>by the governor</i> . Restoration by the board of parole will not restore the right to hold office. Wyo. Stat. Ann. § 6-10-106(a)(iii), (iv). SIT ON JURY: A person convicted of a felony is not qualified to serve as a juror. Wyo. Stat. Ann §§ 6-10-106(a), 1-11-102. The right is restored upon a pardon or restoration of civil rights <i>by the governor</i> . Restoration by the board of parole will not restore the right to serve on jury. Wyo. Stat. Ann. § 6-10-106(a)(iii), (iv). <u>Expungement.</u> Available only for first offender misdemeanors and juvenile offenses. <i>See</i> Wyo. Stat. §§ 7-13-1501, 14-6-241. A court has no power to expunge a conviction that is not legally erroneous simply to restore civil rights. <i>See, e.g., State v. Naple</i> , 143 P.3d 358, 363 (Wyo. 2006).	convicted of a “violent felony” or a felony involving causing or attempting to cause bodily injury to a peace officer engaged in the lawful performance of official duties may not possess firearms unless pardoned . Wyo. Stat. Ann. § 6-8-102. In addition, a permit to carry a concealed firearm will be denied to anyone who is ineligible to possess a firearm under § 6-8-102, or has been convicted of a violation of the state Controlled Substances Act. <i>See</i> Wyo. Stat. § 6-8-104(b)(iv), (v). “Violent felony” means murder, manslaughter, kidnapping, sexual assault in the first or second degree, robbery, aggravated assault, aircraft hijacking, arson in the first or second degree or aggravated burglary. Wyo. Stat. Ann. § 6-1-104(a)(xii). Pardon authority rests with the Governor, Wyo. Const. art. 4, § 5, and pardon application procedure is set forth in Wyo. Stat. Ann. § 7-13-803 through 806.
Guam	Yes. <i>See</i> 9 Guam Code Ann. §§ 80.36 (authorizing “extended maximum term” of 3 years for misdemeanors under §§ 80.40 and 80.42), 80.40 (court	VOTE: A person committed under a sentence of imprisonment, for any crime, is not entitled to vote during the term of imprisonment. 3 Guam Code § 3101; 9 Guam Code Ann. § 82.20(a). Restoration is automatic once released from incarceration. <i>See</i> 9 Guam Code Ann. § 82.20(a).	A person may not lawfully possess, use, carry (concealed or otherwise), own or acquire a firearm who has been convicted of “any violation of the Uniform Controlled Dangerous Substances Act or any misdemeanor where personal injury or use of firearms was an element or factor of the offense <i>unless</i>	VOTE: A person committed under a sentence of imprisonment, for any crime, is not entitled to vote during the term of imprisonment. 3 Guam Code § 3101; 9 Guam Code Ann. § 82.20(a). Accordingly, the right is lost only if sentenced to imprisonment and while serving the term of imprisonment. In addition, a youth (between the ages of fourteen and twenty-five) who has been convicted of a felony and has not received a	A person convicted of a felony may not lawfully possess, use, carry (concealed or otherwise), own or acquire a firearm. 10 Guam Code Ann. §§ 60106, 60108(b)(1). It appears that a person may petition the board of parole for “discretionary lifting of

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
	<p>authorized to impose “extended maximum term” on “persistent offenders,” “multiple offenders,” alcoholics, narcotic addicts and offenders with abnormal mental conditions); 80.42 (court authorized to impose “extended maximum term” on petition of Department of Corrections if necessary for protection of public).</p> <p>In 2003, the Supreme Court of Guam held that the analogous provision for extended terms of imprisonment for persons convicted of felonies is unconstitutional under <i>Apprendi, People v. Muritok</i>, 2003 Guam 21, 47 (Guam 2003). The same is likely true for the</p>	<p>In addition, a youth (between the ages of fourteen and twenty-five) who has been convicted of a crime of moral turpitude and has not received a pardon restoring his civil rights is not eligible to vote for a Representative of the Youth Congress. 2 Guam Code Ann. § 7104. [The Youth Congress acts as a legislative body with the power to prepare and pass bills that are then forwarded to the Guam Legislature for action as with a legislative bill.” 2 Guam Code Ann. § 7102.]</p> <p>HOLD OFFICE: A person convicted of a misdemeanor involving criminal sexual conduct or a crime of moral turpitude may not seek any elected public office. <i>See</i> 3 Guam Code Ann. § 6114; <i>see also</i> 5 Guam Code Ann. § 40108 (person running for mayor or vice mayor in Guam cannot have been convicted of a crime of moral turpitude). In addition, a youth (between the ages of fourteen and twenty-five) who has been convicted of a crime of moral turpitude and has not received a pardon restoring his civil rights is not eligible to sit in the Youth Congress. 2 Guam Code Ann. § 7104.</p> <p>A person holding any public office who is convicted of a “crime involving malfeasance in such office, or dishonesty” shall forfeit the office, but the conviction will not bar the person from seeking future office, presumably so long as it</p>	<p><i>the Chief of Police has determined that the offense was committed more than ten (10) years previously and that the applicant would not endanger the public safety by receiving an identification card.”</i> 10 Guam Code Ann. § 60108(b)(6).</p> <p>In addition to the determination made by the Chief of Police after ten years in the case of a misdemeanor, it appears that a person may petition the board of parole for “discretionary lifting of disqualification” to remove the firearms disability resulting from an offense. 9 Guam Code Ann. § 82.25; <i>but see id.</i> at comment..</p> <p>Pardon by the Governor also appears to be an available avenue. Section 6 of the Organic Act of Guam, 48 U.S.C. § 1422, provides that the Governor “may grant pardons and reprieves and remit fines and forfeitures for offenses against local laws.”</p>	<p>pardon restoring his civil rights is not eligible to vote for a Representative of the Youth Congress. 2 Guam Code Ann. § 7104. [The Youth Congress acts as a legislative body with the power to prepare and pass bills that are then forwarded to the Guam Legislature for action as with a legislative bill.” 2 Guam Code Ann. § 7102.]</p> <p>RESTORATION: Vote. Automatic once released from incarceration. “Notwithstanding any other provision of law, a person who is convicted of a crime shall be disqualified [] from voting in a primary or general election if and only so long as he is committed under a sentence of imprisonment.” 9 Guam Code Ann. § 82.20(a).</p> <p>HOLD OFFICE: A person convicted of a felony may not seek any elected public office. <i>See</i> 3 Guam Code Ann. § 6114 <i>see also</i> 5 Guam Code Ann. § 40108 (person running for mayor or vice mayor in Guam cannot have been convicted of a felony). In addition, a youth (between the ages of fourteen and twenty-five) who has been convicted of a felony and has not received a pardon restoring his civil rights is not eligible to sit in the Youth Congress. 2 Guam Code Ann. § 7104.</p> <p>Any person holding public office who is convicted of a felony shall forfeit the office. <i>See</i> 9 Guam Code Ann. § 82.15. If a person nominated to fill an appointed position is convicted of a felony while the nomination is pending before the legislature for confirmation, the nomination is considered automatically withdrawn, but it will not bar the person from being resubmitted for appointed office in the future. 4 Guam Code Ann. § 2103.13.</p> <p>JURY SERVICE: A person is disqualified to serve as a juror if s/he “has been convicted of a felony in a state, territorial or federal court and has not been pardoned.” 7 Guam Code Ann. §</p>	<p>disqualification” to remove the firearms disability resulting from an offense. 9 Guam Code Ann. § 82.25; <i>but see id.</i> at comment.</p> <p>Pardon by the Governor also appears to be an available avenue. Section 6 of the Organic Act of Guam, 48 U.S.C. § 1422, provides that the Governor “may grant pardons and reprieves and remit fines and forfeitures for offenses against local laws.”</p>

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State	Misdemeanor		Felony		
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
	<p>misdemeanor provision for anyone sentenced after that date.</p>	<p>is not a crime involving moral turpitude. <i>See</i> 9 Guam Code Ann. § 82.15, comment (“[N]either Section nor Code generally provides for permanent disqualification. Such a sanction is too harsh and inflexible; obviously, a prior conviction would greatly influence a decision to appoint or elect but it need not automatically disqualify.”). “Official misconduct” is a misdemeanor, 9 Guam Code Ann. § 49.90, as is “unsworn falsifications” made to a public servant, 9 Guam Code Ann. § 52.30. Some forgery crimes are misdemeanors. 9 Guam Code Ann. § 46.10(c). [Presumably, forgery is a crime involving dishonesty.]. If a person nominated to fill an appointed position is convicted of any misdemeanor involving moral turpitude, or of any offense or violation involving narcotics while a the nomination is pending before the legislature for confirmation, the nomination is considered automatically withdrawn but will not bar the person from being resubmitted for appointed office in the future. 4 Guam Code Ann. § 2103.13.</p> <p>JURY SERVICE: A person convicted of any crime is disqualified from serving as a juror until he has satisfied his sentence, including probation, a suspended sentence, or parole. <i>See</i> 9 Guam Code Ann. § 82.20(a) and comment.</p>		<p>22105(6). RESTORATION: Hold Office. The Board of Parole has broad discretion to consider petitions to “lift” any disqualifications imposed by law as a result of a conviction. 9 Guam Code Ann. § 82.25. A person may petition the Board to lift the disqualifications if the person has completed the maximum term of his sentence, completed a period of suspension or probation, or has been discharged from parole. <i>See id.</i> at § 82.25(a), (b). The removal of disabilities does not constitute a pardon. <i>See id.</i> at § 82.25(d).</p> <p>Note, however, that the code contains this ominous comment: “While sec. 82.25 is based on a recommendation of the Massachusetts Commission, its inclusion here seem [sic] questionable. No expunging of the record occurs. This Section, [sic] does not, and cannot, constitute a pardon. Any person who may have taken the conviction into consideration prior to the board’s action may still do so. And it is questionable whether the Legislature can, by this Section, delegate to the parole board what amounts to a legislative act in removing disqualifications which other Sections of law have made permanent. Finally, this Section may, despite disclaimers, constitute a form of clemency reserved to the Governor by the Organic Act.” Thus, it is not clear whether this mechanism is actually available.</p> <p>Section 6 of the Organic Act of Guam, 48 U.S.C. § 1422, provides that the Governor “may grant pardons and reprieves and remit fines and forfeitures for offenses against local laws.” A pardon can restore all civil rights, and is required to restore rights related to the Youth Congress. <i>See</i> 2 Guam Code Ann. § 7104. <u>Jury Service.</u> By pardon or if the Board of Parole lifts disqualifications, assuming application of the statute would be upheld. <i>See</i> 7 Guam Code Ann. § 22105(6); 9 Guam Code Ann. § 82.25 ; <i>but see</i> 9 Guam Code Ann. § 82.25 comment.</p>	

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
		RESTORATION: Hold Office.			
Northern Mariana Islands	No. "Misdemeanor" means any offense or conduct proscribed by Commonwealth law, which is punishable by not more than one year confinement in a jail or prison. <i>See</i> 6 CMC § 102.	<p>VOTE: No loss.</p> <p>HOLD OFFICE: No loss.</p> <p>JURY SERVICE: No loss.</p>	<p>No person may be issued an identification card if the person has been convicted of a crime of which actual or attempted personal injury or death is an element; or in connection with which firearms or dangerous devices were used or found in his or her possession; or of which the use, possession or sale of narcotics or dangerous drugs is an element. <i>See</i> 6 CMC § 2204(e)(4)-(6).</p> <p>Such a person may be issued a card if the most recent discharge from probation or parole or the termination of the most recent sentence, whichever is later, is more than 10 years prior to the time of application for the identification card; and the issuing agency finds that the person's record, taken as a whole, indicates that the possession, use, or carrying of a firearm or dangerous device, as the same may be, is not likely to address from those appearing upon the identification card within 48 hours of such change. <i>See</i> 6 CMC § 2204(h)(1)-(2).</p>	<p>VOTE: A person is "eligible" to vote if "not serving a sentence for a felony." <i>See</i> 1CMC § 6201. Time on parole for a felony offense shall be included as time spent serving a sentence for a felony. <i>See id.</i></p> <p>HOLD OFFICE: No person convicted of felony is "eligible" to hold office "unless a full pardon has been granted." <i>See</i> Const. CNMI Art. I, § 3, Art. III: §§ 2-3; 1 CMC § 5104.</p> <p>JURY SERVICE: A person cannot serve on a jury if convicted on a felony in the U.S. or any state court or the Commonwealth court, unless his civil rights have been restored by pardon or amnesty. <i>See</i> 7 CMC 3103 (a).</p> <p>RESTORATION: <u>Vote.</u> Automatic upon completing service of sentence.</p> <p><u>Hold office and jury service.</u> By pardon only. A pardon from the governor "ends all penalties or legal disabilities imposed after conviction." <i>See Commonwealth v. Camacho</i>, 2002 WL 32983886, *5 n.7 (N. Mariana Islands Aug. 13, 2002) (<i>citing</i> 6 CMC § 4251).</p>	<p>No person may be issued an identification card if the person has been convicted of a crime of which actual or attempted personal injury or death is an element; or in connection with which firearms or dangerous devices were used or found in his or her possession; or of which the use, possession or sale of narcotics or dangerous drugs is an element. <i>See</i> 6 CMC § 2204(e)(4)-(6).</p> <p>Such a person may be issued a card if the most recent discharge from probation or parole or the termination of the most recent sentence, whichever is later, is more than 10 years prior to the time of application for the identification card; and the issuing agency finds that the person's record, taken as a whole, indicates that the possession, use, or carrying of a firearm or dangerous device, as the same may be, is not likely to address from those appearing upon the identification card within 48 hours of such change. <i>See</i> 6 CMC § 2204(h)(1)-(2).</p>
Puerto Rico	Yes. Before May 1, 2005, the maximum term of confinement upon conviction of a	<p>VOTE: No loss.</p> <p>HOLD OFFICE: A person holding public office is automatically removed upon "conviction of . . . any offense involving moral turpitude, or a violation of his official duties.</p>	<p>A license to possess a firearm may not be issued to a person who does not have a "negative criminal record certificate" issued by the Puerto Rico Police not later than 30 days prior to the application. 25 P.R. Laws</p>	<p>VOTE: No loss.</p> <p>HOLD OFFICE: A person holding public office is automatically removed upon "conviction of a felony or of any offense involving moral turpitude, or a violation of his official duties. And [sic] his conviction by a competent court for election fraud while</p>	<p>A license may not be issued to a person who does not have a "negative criminal record certificate" issued by the Puerto Rico Police not later than 30 days prior to the application. 25 P.R. Laws Ann. § 456a(a)(2). In</p>

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
	<p>misdemeanor “entailing imprisonment in jail” was one year UNLESS the person was convicted of involuntary manslaughter, which was expressly classified as a misdemeanor and for which the maximum punishment was up to three years in prison. <i>See</i> 4 P.R. Laws Ann. § 652 (2004); 33 P.R. Laws Ann. § 4005 (2004).</p> <p>On June 18, 2004, a new penal code was enacted, effective May 1, 2005. Although the provision regarding involuntary manslaughter was repealed, there remains at least one misdemeanor punishable by a maximum term of imprisonment over two years: “Any person who, due to negligence, causes bodily</p>	<p>And [<i>sic</i>] his conviction by a competent court for election fraud while discharging duties of an election officer.” 3 P.R. Laws Ann § 556(8).</p> <p>Offenses “involving moral turpitude” apparently are not limited to felonies. The Supreme Court of the Commonwealth of Puerto Rico considers “moral turpitude” as a state or condition of the individual, consisting of an inherent deficiency of his sense of morale and righteousness; of the person’s disregard for the respect and security of the human life, and all his actions are essentially wrongful, deceitful, fraudulent, immoral, mean in nature, and consequently harmful.” <i>Pueblo v. Ortiz Martinez</i>, 123 D.P.R. 820, 23 P.R. Offic. Trans. 706 (P.R. 1989).</p> <p>The Penal Code of 2004 contains offenses involving fraud that are classified as misdemeanors, such as interfering with meters, (Act. June 18, 2004, No. 149 (S.B. 2302), tit. I, sec. 196), construction fraud (<i>id.</i>, sec. 212), and fraud in sports competitions (<i>id.</i>, sec. 213).</p> <p>Before May 1, 2005, there were offenses involving fraud that were classified as misdemeanors as well. <i>See, e.g.</i>, 33 P.R. Laws Ann. § 4306 (2004) (construction fraud).</p> <p>JURY SERVICE: A person is not “eligible” to sit on a jury if</p>	<p>Ann. § 456a(a)(2). [Presumably, if a person has had previous convictions “eliminated” through court process, then the conviction will not show up on a criminal history certificate.] So a person with an “uneliminated” misdemeanor offense, cannot obtain a license for a firearm.</p> <p>It is not clear whether any statutory provision causes the loss of the license if the person holding a valid license is convicted of a misdemeanor.</p> <p>Before 2001, the grounds for refusal of a license were more narrowly described, and included several misdemeanors, such as breach of the peace, illegal gaming, and violations of protective orders. <i>See</i> 25 P.R. Laws Ann. § 427 (2000).</p> <p>RESTORATION: By pardon by the Governor, P.R. Const. art. IV, § 4 (local violations only), or expungement (referred to as “elimination”) by the Superintendent of Police or the court. <i>See</i> 34 P.R. Laws Ann. § 1731 <i>et seq.</i> (2004) (subject to waiting period and other conditions).</p>	<p>discharging duties of an election officer.” 3 P.R. Laws Ann § 556(8).</p> <p>However, if the person’s sentence is suspended, or the person is placed on probation, or placed on parole, the person is relieved from the disability. 3 P.R. Laws Ann. §§ 556a, 556b.</p> <p>JURY SERVICE: A person is not “eligible” to sit on a jury if s/he has previously been convicted of a felony or a “crime of moral turpitude.” 34 P.R. Laws Ann. § 1735c(d).</p> <p>RESTORATION: Automatic: “Suspension of civil rights, including the right to vote shall cease upon service of the term of imprisonment.” P.R. Const. art. II, § 12.</p>	<p>addition, a license will be “revoked” for any person who has been convicted in or outside of Puerto Rico, for any felony or attempted felony, for conduct constituting domestic violence. 25 P.R. Laws Ann. § 456j (2004).</p> <p>Before 2003, the felony grounds for refusing to issue a license to possess a firearm were more narrowly described: murder in any degree, manslaughter, kidnapping, rape, mayhem, intent to commit any felony, aggravated assault and battery, when said offense was committed with a cutting or piercing weapon or a firearm, robbery, burglary, misappropriation, aggravated misappropriation, arson, aggravated arson, incest, and mayhem. <i>See</i> 25 P.R. Laws Ann. § 427 (2002).</p> <p>RESTORATION: By pardon by the Governor, P.R. Const. art. IV, § 4 (local violations only), or expungement (referred to as “elimination”) by the court. <i>See</i> 34 P.R. Laws Ann. § 1731 <i>et seq.</i> (2004) (subject to waiting period and other conditions).</p>

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State	Misdemeanor			Felony	
	Stat max > 2 years (now or in the past)?	Civil Rights	Firearms Permission	Civil Rights	Firearms Permission
	injury requiring hospitalization or prolonged treatment, or which generates permanent damage or mutilating injuries upon another person shall incur a misdemeanor, but shall be penalized with the sentence for a fourth degree felony.” Act June 18, 2004, No. 149 (S.B. 2302), tit. I, sec. 124 (eff. May 1, 2005). A fourth degree felony is punishable up to three years in prison. Act June 18, 2004, No. 149 (S.B. 2302), tit. II, sec. 16 (eff. May 1, 2005).	s/he has previously been convicted of a felony or a “crime of moral turpitude.” 34 P.R. Laws Ann. § 1735c(d).			
Virgin Islands	None. A misdemeanor is defined as an offense punishable by imprisonment up to one year. <i>See</i> 14 V.I.C. § 2.	VOTE: A person convicted of a crime involving “moral turpitude” is “debarred from voting.” 18 V.I. Code Ann. § 263. Presumably, this includes misdemeanor crimes of “moral turpitude,” but the term is not defined in the code and there do not appear to be any decisions by courts of the Virgin Islands interpreting that term in the context of this or any other statute that it appears in.	FIREARMS: A person who has been convicted in any court of a misdemeanor crime of domestic violence is ineligible for a license to carry a firearm. 23 V.I. Code § 456a(9) (added March 5, 2005, No. 6730, § 29, Sess. L. 2005, pp. 106-08).	VOTE: A person with two felony convictions or two convictions of a crime involving moral turpitude shall be “debarred from voting” for a period of 10 years. 18 V.I. Code Ann. § 263(a). A single conviction for a felony or of a crime involving moral turpitude “debars” the person from voting for a period of one year following the date of his discharge. 18 V.I.C. § 263(b). HOLD OFFICE: By the terms of one statute, a “sentence of imprisonment for any term of more than one year and less than for life suspends all the civil rights of the person so sentenced, and forfeits all public offices and all private trusts, authority, or power during such	FIREARMS: A person convicted in any court for a crime punishable by imprisonment for a term exceeding one year is ineligible for a license to carry a firearm. 23 V.I. Code Ann. § 456a(1) (added March 5, 2005, No. 6730, § 29, Sess. L. 2005, pp. 106-08). Before 2005, a person convicted of a felony was not prohibited from possessing a <i>licensed</i> firearm, but faced

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State	Misdemeanor		Felony		
	Stat max > 2 years (now or in the past)?	<u>Civil Rights</u>	<u>Firearms Permission</u>	<u>Civil Rights</u>	<u>Firearms Permission</u>
				<p>imprisonment.” 14 V.I. Code Ann. § 91. However, the territorial court has held that this provision was “repealed by implication” insofar as it applies to public office when the legislature passed 18 V.I. Code Ann. § 263(b), which specifically provides for the restoration of voting rights. <i>Moorhead v. Gov’t of the Virgin Islands</i>, 18 V.I. 237, 240 (Terr. Ct. St. Croix Div. 1982). The court held that despite the language of the statute, which provides that the right to hold office is restored automatically when the person is no longer incarcerated, only a pardon can restore the right to hold office.</p> <p>Also: A person convicted of a non-violent offense with no prior felony or misdemeanor convictions can be sentenced to probation with expungement upon completion of sentence. 5 V.I. Code Ann. § 3711(c)(1). The effect is discharge without adjudication of guilt.</p> <p>SIT ON JURY: A person who has “been convicted in a state, territorial or federal court of record of a crime punishable by imprisonment for more than one year” is not “competent” to serve on a jury. 4 V.I. Code Ann. § 471. The right can be restored only by “pardon or amnesty.” <i>Id.</i></p>	<p>(and still faces) higher penalties for unlawful (<i>i.e.</i>, unlicensed) possession than a person convicted of simple unlawful possession of a firearm. <i>See</i> 14 V.I. Code Ann. § 2253(a); <i>see Virgin Islands v. Isaac</i>, 45 V.I. 334 (Terr. Ct. St. Thomas 2004) (construing § 2253).</p>