

Glasgow v. Allen
Exhibit C

September 18, 2008

VIA E-MAIL AND REGULAR MAIL

Mr. Mike Hubbard
Chairman
Alabama Republican Party
Post Office Box 55628
Birmingham, AL 35255

Dear Mike:

This response is in reply to your letter of September 17, 2008 regarding voter registration efforts taking place in Alabama correctional facilities.

As I am sure you probably know Attorney General Troy King issued Opinion No. 2005-092 dated March 18, 2005, which established guidelines for the registration of persons convicted of felonies. The registration program was in strict compliance with the guidelines established in that Attorney General Opinion and Alabama Department of Corrections Administrative Regulation 303 - Visitation. The registration was accomplished by utilizing the simple voter registration postcard that is readily available from the Secretary of State, which could be obtained either by the inmate or a family member on their behalf, regardless of voter registration drive. The individuals conducting the registration drive were not doing anything for the inmates that they could not do themselves by simply contacting the Secretary of State's Office for the voter registration postcard.

After further review, however, I have directed correctional employees to no longer facilitate any voter registration drives on correctional property. Section 36-12-61 of the Code of Alabama makes it unlawful to use any state-owned property of any character to promote or advance candidates for election. While it is not clear that assisting voters to register would violate those provisions, I cannot expose departmental employees to that possibility.

Moreover, we also cannot invite a situation where perhaps dozens of volunteers or even the candidates themselves will show up at a prison to register potential voters. The very nature of a correctional facility makes it incompatible with such activities.

Thanks again for your interest in this matter.

Sincerely,

Richard F. Allen
Commissioner

RFA:kh

Enclosure