

Jail-Based Voting in the District of Columbia: A Case Study

Tova Wang

JANUARY 2024



HARVARD Kennedy School

ASH CENTER

for Democratic Governance
and Innovation

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A PUBLICATION OF THE

Ash Center for Democratic Governance and Innovation

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Cambridge, MA 02138

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Acknowledgments

This report builds on the enormous amount of work the Sentencing Project and other organizations have been doing on this issue for years. I am especially grateful for all the guidance and input I have received from Nicole Porter at the Sentencing Project.

Chuck Meire, HKS MPP 2023, contributed an enormous amount to this report. This included not only research and writing but also being a thought partner.

I also want to give special thanks to Scott Sussman, who oversees the jail and prison voting program at the D.C. Board of Elections. He spent many hours helping me understand the program background, voting process, and issues that arise with these types of programs.

Additionally, this report could not have been written without the work done by the extraordinary research assistants at the Harvard Kennedy School. I want to thank Olivia Antigua, Christine Tran, Ivana Giang, and Aaron Rosewood, a student at Harvard Law School. I also received a huge amount of research input from Mason Reece, a doctoral student in political science at MIT. Thank you to Professor Yanilda González at the Harvard Kennedy School for guiding me throughout the process.

And of course, thank you to all the people I interviewed who were unbelievably generous with their time in providing input for this paper. Everyone working on jail voting is clearly committed to the right to vote and realizing that right through programs such as those at the D.C. jails. Thank you to:

- Arlin Budoo, D.C. Board of Elections
- Lenez McCann, D.C. Board of Elections
- Renee Alexander, D.C. Department of Corrections
- Danjuma Gaskins, D.C. Department of Corrections
- Charles Thornton, Chair of the Board, Corrections Information Council
- Charlie Sullivan, Citizens United for Rehabilitation of Errants (CURE)
- Kathy Chiron, D.C. League of Women Voters
- Myra Woods, D.C. League of Women Voters
- Patricia Marks, Corrections Information Council
- Shawn Hilgendorf, Committee Director for Council Member Robert White
- Charles Allen, Council Member
- Katherine Mitchell, Chief of Staff to Charles Allen
- Kate Uyeda, Campaign Legal Center
- Stacey Litner, Washington Lawyers' Committee
- Peter Stephan, Disability Rights DC at University Legal Services

Glossary

District of Columbia Corrections Facilities. Because Washington, D.C., is a federally administered district, people convicted of felonies are sent to federal prison facilities rather than facilities operated by the city government. The District of Columbia Jail houses people being held pretrial, sentenced misdemeanants, and those who have been convicted of a felony awaiting transfer to the Federal Bureau of Prisons.

CDF. Central Detention Facility. The CDF is higher security and only houses men.

CTF. Central Treatment Facility. The CTF houses men, women, and juveniles.

EMA. Elections Modernization Amendment Act (2022). An omnibus election reform bill that required the D.C. Jail to be a vote center and included other provisions making voting accessible for all Washington, D.C., citizens.

Incarcerated persons or detainees. Different people and groups have a wide variety of terminology in referring to people in jail pretrial or for a misdemeanor. For this paper, I have landed on “incarcerated persons” and “detainees.” However, this is by no means an endorsement of any one term. Others working on this issue have taught me about the importance of language in these efforts. Justin Allen, from Organizers in the Land of Enchantment (OLE) in New Mexico, suggests the guide, “[TOA Criminal Justice Reform Phrase Guide](#).”

RVAA. Restore the Vote Amendment Act of 2020. The RVAA granted all people incarcerated in prison for a felony the right to vote from prison if otherwise eligible.

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Abstract

While many people are aware of the restrictions formerly incarcerated individuals face in voting, few know about the challenges faced by another group of incarcerated citizens: people in pretrial detention and those incarcerated for misdemeanors. Despite having the right to vote, incarcerated persons often confront challenges in registering and/or voting while being held. In the last few years, organizers, election administrators, and corrections staff in a handful of jurisdictions have taken an innovative approach to address this problem, making the jail an early vote center and setting up a polling place right in the facility.

The District of Columbia is one of the first jurisdictions to do this, and their success with the program can inform the efforts of policymakers, election administrators, jail staff, and organizers to put similar programs in place and successfully implement them in other jurisdictions. This case study tells the story of Washington, D.C., through the eyes of those who have been directly involved. It presents the evolution of jail voting in the district, what it took to get it to happen, the logistics of its successful implementation, the challenges it has presented, and how different stakeholders in the process have made it work. It demonstrates that providing incarcerated people with a true opportunity to vote is not overly burdensome and is something they will enthusiastically participate in. Furthermore, it suggests that the voting experience may have positive impacts on the voters that could carry over into future elections.

Introduction

Since 1997, 26 states and the District of Columbia have expanded voting rights to people living with felony convictions or amended policies to guarantee ballot access.¹ Today, 23 states require that people incarcerated for a felony have their voting rights automatically and immediately restored upon their release.² At a time of many rollbacks to voting rights, the success of the movement to restore voting rights for those with a felony conviction is extraordinary. At the same time, the voting rights and criminal justice reform community is also focused on ensuring voting rights for the jail-based population, most of whom have not lost their voting rights in the first place. These individuals are being held in pretrial detention or are serving time for misdemeanors; their eligibility status has not changed. Nonetheless, this population faces so many barriers to voting while in jail that, in many places, they are effectively denied the opportunity to vote.

Every eligible citizen should be able to vote, but this group of voters is routinely prevented from doing so. To remedy this, jails and boards of elections need to work with organizers, legislators, and other government entities to reform their practices to allow for voting from jails.

This report provides a case study on how Washington, D.C., introduced and successfully implemented a program to facilitate voting rights in jails. By designating the jail a vote center for in-person voting, the district provided incarcerated persons with the same voting experience as any other citizen of Washington.

What follows is the story of how organizers and elected officials put this program in motion both politically and logistically. The report also explores how organizers, the Board of Elections, and the Department of Corrections have worked together to address the issue of jail-based disenfranchisement. The study aims to share the experience of Washington, D.C., and the people involved in this effort as a source of guidance to grassroots organizations, elected officials, boards of elections, departments of corrections, advocates, and legislators who are seeking to facilitate voting for incarcerated individuals.

A possible outcome that is worth evaluating further is whether providing a more meaningful voting experience in jails can lead to greater participation both in jail and after release. Given that these programs are so new, trying to ascertain their impact on voter participation can only be based on anecdotal evidence for now. As they develop and expand, researchers can increase their understanding through talking to and surveying people who have been in jail and, availability of data permitting, through conducting quantitative analysis.

There will be another case study of the same nature, focusing on Denver, to follow. By studying the experiences in different jurisdictions, we will be able to compare the journeys and the results, with the goal of providing practitioners and policymakers with the best ideas from each.

This report begins with a general overview of jail-based voting, some of its impacts, the challenges associated with it, and past successes. Then, it follows the story behind the passage and implementation of the jail voting program in Washington, D.C. First, it examines the work that organizers, advocates, and members of the D.C. Council did to get the program into place. Next, it details key findings by tracing the logistical process that organizers, election administrators, and corrections staff successfully undertook for Washington. The report concludes with suggestions of what people in the field can learn from Washington going forward.

Background

According to the Prison Policy Initiative, over half a million people are incarcerated in local jails across the country.³ Of that, over 80%—427,000 individuals—have not been convicted of a crime;

instead, they are being held in pretrial detention, often because they cannot afford bail.⁴ The remaining jail population mostly consists of people serving misdemeanor sentences of less than a year for low-level offenses.⁵

The vast majority of people in jails are eligible voters. Those held in pretrial detention have not been convicted of any crimes, so they maintain their constitutionally guaranteed right to vote.⁶ Furthermore, in most states, even those in jail who have been convicted of misdemeanors retain the right to vote.⁷ This means that, unless they fail to meet other eligibility requirements, such as age or citizenship status, people awaiting trial in jails or misdemeanants are legally permitted to vote. This right was affirmed in 1974 by the Supreme Court in *O'Brien v. Skinner*, where the court held that “eligible voters in jails cannot be denied their right to vote simply because they are incarcerated.”⁸

A report released in 2022 by the United States Commission on Civil Rights found that “more than 60% of inmates are detained prior to trial due to an inability to afford posting bail.”⁹ Pretrial detention “can average five months in many jurisdictions, even though most cases involve nonviolent charges.”¹⁰ Furthermore, while certain misdemeanor charges pertain to more serious offenses, such as domestic violence and drunk driving, scholarship has highlighted how misdemeanor charges are increasingly and disproportionately levied against poor communities of color for actions such as “loitering, spitting, disorderly conduct, and jaywalking . . .”¹¹ It is this group of eligible American voters who often find themselves unable to vote in any election occurring while they are detained.

Impact of Jail-Based Disenfranchisement

People in jail are much less likely to vote. And while we don’t yet know whether having the experience of voting while in jail has a *positive* effect on propensity to vote after release, we do have some data on the *negative* effect being in jail has on propensity to vote after release. Data shows that spending time in jail depresses subsequent turnout, and this disproportionately impacts people of color.

In her 2022 annual review of the literature on incarceration and voting, political scientist Ariel White found that “spending a few days or weeks in jail, either in pretrial detention or as a misdemeanor sentence, appears to prevent people from voting in the future.”¹² Moreover, in her study of Harris County, Texas, White found that jail sentences reduced voting by several percentage points, with particularly large demobilizing effects among Black residents.¹³ One 2020 study that White reviewed looked at people in pretrial detention in Philadelphia and found that “pretrial incarceration reduces voting, especially among people who are Black and/or low-income.”¹⁴ White concludes that “this recent work suggests that these short-term interactions with the carceral state can have substantial, lasting, and racially disparate effects on political behavior even though they do not lead to formal disenfranchisement.”¹⁵

What’s more, pretrial incarceration disproportionately affects Black individuals compared to white individuals simply because more Black people are in jail. Nationally, quantifying the racial disparities in jails has been difficult given a lack of up-to-date information. In 2002, the last time data was collected, Prison Policy Initiative estimated that 69% of pretrial detainees were people of color, “with Black (43%) and Hispanic (19.6%) defendants especially overrepresented compared to their share of the total U.S. population.”¹⁶

However, despite the official national data being more than two decades old, more recent local data and studies have provided additional insights. In Harris County, Texas, as of 2023, about 77% of the jail population consisted of Black and Latino individuals, the majority of whom were there on pretrial detention.¹⁷ In Philadelphia, Pennsylvania, analysis of police and criminal court data from 2015 to 2022 showed that 64% of the pretrial population was Black.¹⁸

To obtain more recent estimates of the jail population overall, The Pew Charitable Trusts partnered with the Jail Data Initiative. Using 2022 data from 595 jails, they found that Black people were overrepresented in seven out of 10 jails compared to their share of the local community. Additionally, they were four times more likely to be incarcerated in jails than their white peers, and they were more likely to be held in jail for more than three months.¹⁹ Furthermore, research based on court data from Philadelphia, Pennsylvania and Miami-Dade, Florida also found that Black people are more likely to be assigned bail and have bail set at higher amounts than white people.²⁰

Barriers to Registration and Voting in Jail

Although the Supreme Court has affirmed that otherwise eligible voters cannot be denied the right to vote because they are incarcerated, this is not the case in practice. Referred to as “de facto disenfranchisement,” this occurs when incarcerated eligible voters, pretrial detainees, and, in most cases, misdemeanants, face barriers that prevent them from registering to vote and accessing and submitting their ballots.²¹ Barriers to participation manifest in numerous specific ways in jail. The following section provides a general summary of such challenges, but it is not intended to be an exhaustive list.

Barriers to Voter Registration

People who are in jail face enormous difficulties in fulfilling even the first step to voting: registration. As of 2020, an average stay in jail lasted 28 days;²² sentences for misdemeanors can generally last up to a year, although in certain states, it can be more.²³ Incarcerated individuals can therefore easily miss crucial deadlines to register to vote in advance of an election. Additionally, due to lack of access to information, people may not know about upcoming elections or voter registration deadlines.²⁴

Many incarcerated people do not have access to online voter registration. Even if they want to register, jails may not have registration forms readily available.²⁵ Additionally, some jails lack computers for those living in states that allow online voter registration. And in states with strict voter ID laws, people may not have access to the various identification documents that are needed to register, including a driver’s license number or Social Security number.²⁶

In addition, jails may lack personnel with the necessary knowledge about the voting process to assist with accurately completing and submitting registration forms. Many incarcerated people do not realize that they are eligible to vote, and jail personnel—typically their first point of contact—often do little to correct this misbelief and facilitate access to voting. When the American Civil Liberties Union (ACLU) of Wisconsin asked jail administrators if there were any written policies in place related to voting, some responded that it is each person’s “individual responsibility” to express their interest in voting while in jail to initiate the voting process.²⁷ However, before they can begin the voting process, incarcerated persons must first be informed of their eligibility.

People in jail also cannot always rely on election officials to inform them about their eligibility to vote. A report completed by the ACLU and the Brennan Center for Justice found that in Kentucky, 53% of county clerks responded incorrectly when asked if people with misdemeanors were eligible to vote.²⁸ Similarly, in Ohio, 30% of local election officials either responded incorrectly or were unsure.²⁹ In both states, people with misdemeanors are eligible to vote.³⁰

Moreover, while many officials do care about voting, not all corrections offices, or all elections administrators, are enthusiastic about it or able to put in the effort. For example, in June 2023, survey results of 46 county sheriff’s offices across New York showed that 27 of these offices rejected the idea of additional training for their staff to facilitate voting, such as “how to complete voter registration forms, applications for absentee ballots, and completing ballots within the required time frames.”³¹ In addition, when asked what funding and/or staff resources were needed to implement voting in the jails, “. . . most sheriff’s

offices did not see that additional funding was necessary to facilitate voting. One office said they needed funding to buy stamps to mail in applications and absentee ballots.”³²

Barriers to Casting a Ballot

Those in jail who successfully register to vote or are already registered voters face a host of other barriers that inhibit them from casting their ballots. Firstly, they can only vote by mail, which is far from simple for someone who’s incarcerated. Only eight states and Washington, D.C., conduct all-mail elections, meaning that every registered voter is automatically mailed a ballot, without having to request one.³³ Even in these states, people in jail can face disenfranchisement from voting if they cannot arrange to have their mail ballot redirected to their place of incarceration or find a trusted family member or friend to pick up, deliver, and submit their mail ballots for them.

For the other 42 states that do not conduct all-mail elections, people who are incarcerated must request a mail ballot.³⁴ This presents more hurdles, as people may lack information on the deadlines to submit absentee ballot requests and jails may not always have absentee application forms available. Additionally, of the states that require a request to vote by mail, 15 require a “valid excuse” to receive a ballot. Of those states, seven do not accept being incarcerated as a valid excuse, even if the requester is an eligible voter according to the letter of the law.³⁵

Even after jailed registered voters successfully receive their vote-by-mail ballots, they can face delays in the jail’s mailing system;³⁶ correctional institutions often take additional time to process mail, including official mail.³⁷ In addition, there may be issues of trust in handing over the ballots to be mailed, given the increasing number of jails that are scanning incarcerated persons’ mail or otherwise engaging in mail surveillance.³⁸ Furthermore, many states require documentation, such as copies of photo ID, to cast an absentee ballot.³⁹ Jailed voters who have had their effects confiscated are often unable to comply with these requirements. Similarly, requirements that ballots be notarized or witnessed mean that detainees may need the cooperation of jail officials, who may not be forthcoming. This can also raise concerns about intimidation or ballot manipulation.

While this brief provides a glimpse into how jail-based disenfranchisement occurs, for additional information, see the Legal Defense Fund’s Thurgood Marshall Institute’s recently published brief, [“Democracy Detained: Fulfilling the Promise of the Right to Vote from Jail”](#) or the Prison Policy Initiative’s guide, [“Eligible, but Excluded: A Guide to Removing the Barriers to Jail Voting,”](#) which describes the various barriers that prevent people in jail from voting.

Early Successes of Jail-Based Voting to Fight Disenfranchisement

To end jail-based disenfranchisement, a new idea is taking hold in certain localities across the country: establishing jails as polling places. Currently, eight jails have in-person voting for eligible voters: Cook County Jail (Chicago, Illinois), D.C. Central Detention Facility and Central Treatment Facility (Washington, D.C.), Denver County Jail and Van Dimensioned Detention Center (Denver, Colorado), Harris County Jail (Houston, Texas), Century Regional Detention Facility (Los Angeles, California), and Will County Adult Detention Facility (Joliet, Illinois).⁴⁰

These initiatives are still in their early stages. However, what data we have so far is promising. According to the Prison Policy Initiative, “Data about voter turnout at these jails is hard to come by, so it is difficult to know exactly how many eligible, detained voters have used these polling locations. However, the emerging evidence shows, when combined with outreach and education to ensure incarcerated voters know what steps they must take to cast their ballots, jail-based polling locations are not only feasible; they’re effective: when people know they *can* vote from jail, they *will* vote.”⁴¹

Cook County, Illinois has now completed three elections with jail-based voting. Cook County is particularly noteworthy due to the availability of data that allows us to shed light on the impact of these initiatives.

The Story of Chicago Votes and Cook County, Illinois

Until 2019, all jail-based voting in Illinois took place with absentee ballots.⁴² Establishing polling locations in jails required legislative change. In 2019, the legislature passed the Re-Entering Citizens Civics Education Act, effective January 1, 2020.⁴³ Chicago Votes and a coalition of other voting rights and criminal justice reform organizations had pushed for and succeeded in requiring jails across Illinois counties with a population of at least 3 million to be established as official polling locations.⁴⁴ As a result, the Cook County Jail became the first jail in the United States to offer in-person voting.⁴⁵

For Cook County, Illinois, less than 7% of people in jail voted by mail in the 2018 primary election.⁴⁶ After establishing the jail-based polling location in 2020, about 33% of people held in jails voted during the 2020 primary election.⁴⁷ By the November 2020 presidential election, in-person voting combined with same-day registration resulted in 37% of the jailed population—approximately 2,200 people—voting from four polling stations across the Cook County Jail’s eight blocks of space.⁴⁸ For the June 2022 presidential primary election, Cook County expanded to five polling stations,⁴⁹ and incarcerated individuals voted at a higher rate than registered voters in the city of Chicago: 25% compared to 20%.⁵⁰ About half of voters in the 2022 election were able to cast their ballot because of same-day registration (SDR),⁵¹ demonstrating the importance of SDR laws in the effective implementation of jail voting. This will be discussed further in the Washington, D.C., findings.

Over time, legislative efforts to expand voting opportunities in jail have proven successful, and the demonstrated milestones in Cook County have spurred voting rights activists in Illinois to push for expansion of the law to other counties.⁵² In June 2021, the state election code was amended to include a provision allowing, but not requiring, sheriffs in Illinois counties with populations less than 3 million to establish temporary branch polling locations for the 20,000 individuals in local jails, where previously they could only vote by absentee ballot.⁵³

A Note on Denver’s Jail-Based Voting Program

As mentioned, there will be a forthcoming case study on jail-based voting in Denver. However, it is worth noting here that the 2023 Denver program also illustrates the impact of providing voting in jails. The Denver Election Division established a setup akin to a polling place, where incarcerated people could vote during the early voting period. Though the sample size was small, this led to increased voter participation in the jails. In fact, turnout was substantially higher for detainees than it was for the general population in Denver. In November 2023, just 36% of the general population voted in person, while 64% of voters at the Downtown Detention Center (DDC) returned their ballots and 85% of voters at Denver County Jail did so.⁵⁴

In addition, jail voting was a success based on a number of other metrics. In November 2023, the vast majority of voters (80% at DDC, 62% at County) assisted on the voting days were new voters or in need of updates to their records. Nine voters successfully returned their ballots, while only five did not. Furthermore, all those who voted had their ballot accepted. The overall rejection rate for all voters in Denver averages between 1–2%. By contrast, the overall rejection rate for all voters in Denver averages between 1–2%.⁵⁵

In addition to demonstrating the success of in-person jail voting, this data refutes the conventional wisdom that incarcerated people are not interested in or do not care about voting. When given access, many do vote.

Legislative Progress

In one of its always-helpful newsletters, [the Voting Rights Lab](#) provided this summary of recent state legislation aimed at improving access to voting from jail:⁵⁶

Between 2021 and 2023, nine states and D.C. have enacted 12 laws to improve voting access for those who are incarcerated—including four new laws enacted this year alone. The improvements to state law for incarcerated voters enacted since 2021 fall into three general categories: voter registration, mail voting, and in-person voting.

Improved access to voter registration

Maryland, Colorado, and Washington improved voter registration opportunities.

- A 2021 Maryland law now requires voter registration applications to be provided to eligible voters in jail 30 days before the registration deadline.
- As of 2023, in Colorado, counties that have issued electronic tablets to incarcerated voters must use those tablets to facilitate voter registration.
- In 2023, Washington's state budget included \$2.5 million to provide county grants to improve voter registration services and voting access in county jails. However, only a few counties in the state applied for the funding, and some local officials have openly expressed an unwillingness to assist incarcerated citizens looking to participate in elections.

Improved access to mail voting

Massachusetts and Nevada made it easier to vote by mail.

- Massachusetts created new requirements in 2022 related to incarcerated voters using mail ballots, including mandatory voter information and education, as well as voter assistance for requesting, completing, and returning forms and ballots. Under the law, jails (where feasible) must provide locations where voters can complete ballots in private and jail officials may not open or inspect any completed mail ballot (unless it is to investigate a reasonable suspicion of prohibited activity).
- A 2023 Nevada law requires each county or city jail to facilitate the casting of mail ballots.

Washington, D.C., Jail Voting

Decades of Work

Washington, D.C., is unquestionably distinct from other jurisdictions. It is quite progressive, has a large (though dwindling) Black population, and has restored rights upon release for many years. Just three years ago, it became the third jurisdiction in the country to extend voting rights to people in prison, ensuring no citizen of Washington, D.C., ever loses their voting rights due to a criminal conviction. Yet the effort around this began more than three decades ago.

In the early 1990s, two Washington, D.C., activists, Charlie Sullivan and Charles Thornton, began organizing and advocating for the voting rights of incarcerated people. Thornton had just gotten out of jail himself, and he and Sullivan collaborated with the Board of Elections (BOE) and Department of Corrections (DOC). Their efforts were instrumental in registering people in the Washington jails and facilitating their ability to vote in those very early days. That foundation would pay dividends 30 years later.

In 1972, prior to working with Thornton in Washington, D.C., Sullivan founded Citizens United for Rehabilitation of Errants (CURE), an organization focused on reducing crime by reforming the criminal justice system.⁵⁷ Decades later, he began working to register voters in the D.C. Central Detention Facility. The District of Columbia Board of Elections supported these efforts, enabling effective

outreach. While CURE's voter registration program faced initial challenges, including low participation and poor understanding of the registration process among detained people, as well as occasional strains in the relationship between the jail and advocates, the program continued and grew.

As Thornton tells it, this work moved forward for the next several years and, in partnership with the BOE and DOC, they steadily improved the registration and absentee voting process. Then, in 2008, Barack Obama ran for president, leading to a significant jump in voter participation. This surge was fueled by excitement among both those in the Washington jails and volunteers working on their voting rights. Everyone used the opportunity this presented to ramp up their efforts.

The year 2008 was a pivotal moment in the effort to establish the jail as a polling place with machines. Thornton told me, "That was really just historic, having a Black [person] . . . running for president. . . . About 98.99% of the residents there were Black, and it just really was a real huge educational effort. People wanted to vote. *I can easily say that more people voted in jail in D.C. at that time than any other time.* . . . We were doing the absentee voting during that time just because of the candidate more than anything else. And it gave us a real opportunity to really educate more. The process was already in place, and . . . we began pushing the envelope after that to move toward having the jail become a polling place so that we were able to get the voting booths into the jail. . . . *We really pushed hard the second Obama ran to try to get the jail set up as a polling place.*"

Shortly before the 2012 election, Thornton took a position inside government.⁵⁸ As the director of the Mayor's Office of Returning Citizen Affairs, he used his platform to push for jails to become polling places.⁵⁹ Though they couldn't make it happen in 2012, Thornton and other organizers used the Obama election to turn registering and voting in local jails into a "well-oiled machine," as Thornton called it. Since city council elections are held in the "off years" in Washington, D.C., organizers used this time to continue to build on their work, ramping up their efforts during the presidential election of 2016.

Throughout this time, the League of Women Voters was also registering and facilitating voting for people in the two Washington facilities, contributing to this well-oiled voting system. They went to every cell and spoke to every resident who wanted to learn more about registration and voting. The former president of the League of Women Voters of the District of Columbia, Kathy Chiron, told me "I actually did go knock on every door and talk to every person that was incarcerated. And I went into the units even that housed the insurrectionists because I said, 'I will talk to anyone who is an eligible voter, no matter who they are.'" League volunteers also helped with another common problem: correcting mistakes on voter registration forms that would lead to voters being disqualified. They reviewed the registration forms with DOC staff and noted where there was missing information or if something was filled out incorrectly. The DOC then followed up with those voters. League volunteers also ensured that someone other than corrections officers would be talking to residents about voting.

From 2012–2022, momentum built, until the Restore the Vote Amendment Act (RVAA) and the Elections Modernization Amendment Act (EMA) were enacted in 2020 and 2022, respectively. The RVAA provided the right to vote to all eligible incarcerated people, including those currently serving sentences, while the EMA required jails to be voting centers.

The years from 2020 to 2022 were the right time to pass these laws. The post-George Floyd political environment was certainly a factor, and, according to Thornton, the people who were on the city council also played a large role in making it the right time. Council member Robert White, the chief sponsor of the RVAA, became a vocal advocate for returning citizens because of his own family experiences. Early on, he held a city-wide meeting of organizers to work on a legislative agenda for returning citizens. These groups were instrumental in formulating and getting the laws passed. Furthermore, in 2020, the political landscape changed dramatically around criminal justice reform, underscoring that it was the right moment to introduce legislation around providing voting rights for people in prison.

Charles Allen, a champion of pro-voter election laws for many years, drove the EMA. Allen says that when he began working on this issue, people in the jails didn't know how to vote. They didn't know they *could* vote. They had to ask for a ballot, and the turnout was very low. So, he and organizers agreed that the only way to effect a real change was to make the jail an early vote center. Then, people in jail wouldn't be treated any differently than anyone else. The Elections Modernization Amendment Act of 2022 included many different provisions regarding elections in Washington. The provision requiring jails to be vote centers meant that they would be required to have a full polling place with voting machines on site.⁶⁰

When he was made chair of the Committee on Judiciary and Public Safety, Allen asked that elections be under the jurisdiction of that committee. This had never been done before (and isn't done now that his tenure as committee chair has ended). With oversight of both the BOE and the DOC from 2017–2022, he created a dynamic in which both agencies needed to be more responsive than they might have been otherwise. It also helped ensure the agencies were communicating well about various areas of coordinated work.

Findings

In-Person Voting Has a Positive Impact

“Having only absentee ballots . . . takes away from the experience. . . . And I think I learned doing this years ago that even the absentee ballot is an experience that you hear people say, ‘Man, it’s the first time I ever done it.’ Where the voting booth takes it to a whole other level, to be able to go line up and cast your ballot. . . . And then the goal was always to have this be a mimic of what’s happening in the community. You know what I mean? That was always the goal—that we want to do exactly what was being done in the community.”

– Charles Thornton, current executive director of the Board of Directors of the District of Columbia Corrections Information Council (CIC)

“It may sound trivial, but [what] was very important to those residents that I saw vote was that they wanted that ‘I voted’ sticker. . . . And one of the reasons I heard was they wanted to send it home to their family to let them know they are being included, that they are taking a step to being a part of the community, making decisions for the community. That’s one of the things that really impacted me on the election days.”

– Danjuma Gaskins, inmate grievance process program manager and voter registration liaison for the D.C. Department of Corrections

While we do not yet have the data to quantitatively examine the impacts of in-person voting in jails, my conversations with people who helped implement the program provide powerful anecdotal evidence. The interviewees all believed voting in person at a polling place has a greater positive impact on detainees’ sense of involvement in the voting process than voting by mail.

Charles Thornton has spent more time working with detainees in jails to vote than anyone in the district. His comments quoted above make clear his belief about the difference that transitioning from mail ballots to having jails as polling places could make for participation rates during and (potentially) after detention.

As is evident from Gaskins’ quote above, those who lead the program at the jails also believe that in-person voting has a more meaningful impact on residents’ attitudes toward voting. He told me, “What ties us together as a nation is our right to vote, and for the residents of our facility to be able to

experience that right to vote, not just from some mailing in their ballots [but] to actually cast their vote at the polling station—it connects them more to their community, to our community.”

Scott Sussman was at the Bureau of Prisons (BOP) for 26 years. He ran the voting program on the BOP side before becoming the director of the jail voting program at the Board of Elections (BOE). The Restore the Vote Amendment Act, passed in 2020, required the BOE to work with the BOP. As such, he has spent ample time in jails and prisons and observed the voting process. He emphasized the vital role that voting plays in boosting morale for incarcerated people:

“My role with the Bureau of Prisons (BOP) was primarily in re-entry, and our experience was that connectedness to one’s community is an important factor to a successful re-entry. Ordinarily, community ties are limited to immediate family. However, while working to facilitate voting in the BOP, I received comments that spoke to the impact of voting on enhancing that sense of connectedness beyond just the family. For example, several incarcerated residents said things like, ‘I feel like I’m not forgotten’ and ‘For the first time I feel like a man.’ It was clear to me that the residents felt that being allowed to vote meant that the community cared about them and what they thought. This sense of belonging is essential to re-entry, and I say this from the perspective of someone who has worked in corrections for a significant amount of time.”

Denver is one of few other places that gives incarcerated persons the chance to vote in person while in jail, and the local press has done a more extensive job of covering the process. In a 2023 interview [with 9News](#), Denver Sheriff Elias Diggins had strong words about the potential impact of making voting more accessible for the jail population.⁶¹

“Other jails do voting by mail, but we’re one of a very small handful of jails in the entire country that actually does in-person voting,” said Diggins. “If they feel like they were able to participate in the electoral process while they were in custody, I think it helps them to understand that being a community member is important and coming back to the community better than you came here is important to us as well.” Furthermore, one of the detainees in Denver said, “It feels good to vote. It feels like I’m somebody. . . . While [you’re] incarcerated, you don’t really feel like anybody. You feel less than somebody. To know that my vote counts while still being incarcerated, it means a lot to me.”

In the same report, another detainee, Raymond Martinez, shared that he decided to vote for the first time in 2023. He said, “I was always scared and felt like my vote wouldn’t matter. It feels great. It made me feel like a better man knowing that I could open up and be able to tell the world what I feel too.”⁶²

Going forward, researchers hope to gather more information on these impacts, both by talking to former detainees and examining voting data from former detainees over time.

Successful Implementation Requires Relationship-Building

Having the Right People Facilitates Better Relationships

According to everyone interviewed for this report, one of the most important provisions of the Elections Modernization Amendment Act (EMA) was the requirement to hire a full-time person at the BOE to oversee jail and prison voting. In addition, the EMA stipulated that there be a designated person at the jail to serve as the primary point of contact for voting.

“It starts once they step foot in our facility,” explained Danjuma Gaskins. “And being a part of voting is a community responsibility. It is one of the great ways to tie residents into their community, to give them opportunities to exercise their right to vote and educate them on their responsibility. It’s all a part of the process. I think it’s a culture. It’s all a part of your culture and your facilities and your philosophy when it comes to corrections.”

As Gaskins indicates, it’s crucial to have people in these positions at the Department of Corrections who recognize the importance of voting and see it as integral to re-entry. This means they approach

their roles with an awareness of re-entry issues as part of their job responsibilities. It is important that they adopt a philosophy toward incarceration that values the goal of leading people to be better citizens and community members upon their release.

Renee Alexander, the correctional program officer of the D.C. Department of Corrections, Office of Community Corrections, underscored the point that the culture of the jail administration must be orienteered toward re-entry, adding, “It takes getting the right people to head up these types of projects as well because not everybody that works in corrections is about re-entry or understanding the purpose of re-entry. So, you have to get people that are going to be [invested] in the project, from BOE and DOC.”

Today, there is a full-time staff member at the BOE, Scott Sussman, as well as two other employees who spend some of their time on jail and prison voting. Sussman, whose title is program manager of Restore the Vote, has a unique background that is an important part of the program’s success to date. Prior to his current role, he spent 26 years with the Bureau of Prisons, spending some of his time serving as the staff point person for voting. On the verge of retirement, he applied for and was hired to serve as the inaugural Restore the Vote Program coordinator. According to several interviewees, his experience has been instrumental in improving communications and fostering strong relationships with the DOC as well as external partners who work with residents.

Though it might not always be possible to hire someone with Sussman’s background, his experience demonstrates the need for jurisdictions to prioritize finding people with relevant experience or familiarity with the local incarceration system to lead implementation efforts at the BOE. Having someone who understands the workings of the jails helps facilitate a productive working relationship at the outset. Sussman explained this to me in an interview, saying, “It’s a lot easier for someone to reach into a jail or a prison if they understand what’s going on within it. I usually suggest procedures and logistics that likely already fit into what they do every day. I usually start the conversation with, ‘I understand what’s like to receive this phone call, so my aim is to make this as least [disruptive] to your operation as possible.’”

Registering people to vote is obviously not top of mind for people working in jails. So, naturally there was some initial hesitancy—as there often has been at government agencies required to do voter registration. For example, failure to comply with Section 7 of the National Voter Registration Act, which requires several state-based government agencies to provide voter registration to clients as an incorporated part of their services, has been ongoing since the law’s passage in 1993.⁶³ And Sussman is credible when he tells the DOC he understands that voting is far down the list of things corrections deals with on a regular basis. The security of the building is their first order of business, and the BOE cannot intrude on that.

Gaskins affirmed Sussman’s connection with jail staff members, telling me, “He understands the logistics, what we have to navigate in order to get things done in a correctional facility. So, I think that helps out tremendously.”

Another key to success was having Arlin Budoo working at the BOE. Budoo is the facilities operations manager, and he had been running the jail-based voting program since 2010. Even though in previous years it was a matter of distributing and collecting mail ballots, he was already familiar with the space and how things worked, including all the protocols they would need to follow. And Lenez McCann, public affairs specialist, brought several years of experience at the BOE to the work. Her responsibilities included supporting the Right to Vote activities by ensuring eligible incarcerated individuals are educated on their voting rights and have the opportunity to vote. With their experience and depth of knowledge, Budoo and McCann made the process smoother from the beginning.

Notably, people from two groups that actively work on jail and prison voting in Washington, Kate Uyeda from the Campaign Legal Center and Stacy Litman with the Washington Committee for Civil

Rights, also told me they had a positive relationship with the BOE staff. Thanks to this strong foundation, they can have regular, productive conversations about various issues that may arise.

Understanding Roles Is Key

As previously mentioned, fostering cooperative relationships among the BOE, DOC, and organizers was critical to the initiation and ongoing implementation of jail voting. Relationships among agencies, and between agencies and organizers, can always present challenges. The key is how they are addressed.

Interviewees told me that it is vital for organizers, the BOE, and the DOC to understand their respective roles and responsibilities to mitigate potential tensions. Organizers must respect the jobs of the BOE and DOC, and all three parties have to respect that the people working at the jails are the ones with first-hand knowledge. Furthermore, the DOC needs to accommodate organizers as much as possible, and the DOC and BOE must work in close partnership, with transparency and communication, from the outset. Inevitably, there will be tensions along the way. But no one should be assumed to be an adversary.

DOC and BOE Relationship-Building

In Washington, the DOC's first and biggest concern was the sheer amount of work involved. The process the organizers had developed—"the well-oiled machine," in Charles Thornton's words—made it easy for jail staff to implement. Still, they had security and logistical concerns, including around capacity. As described below, these concerns were valid, given that the first time jail-based voting was implemented, there was only one staff person at the jail leading the process, and she had no prior experience with voting work.

Once the Restore the Vote Amendment Act and the Elections Modernization Amendment Act passed, the DOC and BOE found ways to make the myriad of logistical challenges work, as described in greater detail below. They collaborated to overcome various issues around technical implementation; having concrete written requirements meant that they were legally and politically accountable for doing so.

DOC/BOE and Organizers Relationship-Building

With respect to working with outside organizations, the BOE and DOC already had ample experience, having done voter registration with the D.C. League of Women Voters (DCLWV) and Charles Thornton. This underscores the huge importance of volunteer organizations consistently showing up with a helpful attitude, thus building trust. It also highlights the DOC's need to make jails accessible to volunteers (with proper screening and training). In the case of Washington, the DOC came to rely on the assistance of the DCLWV, Charles Sullivan, and Charles Thornton's voter operations. They emphasized the crucial role these organizations played in helping and filling gaps in capacity.

One of Renee Alexander's main recommendations to other corrections agencies was to ". . . make sure to tell them to solicit their community partners, like a D.C. League of Women Voters . . . and Mr. Charles Thornton . . . because they were a tremendous help."

Budoo emphasized the collaborative approach between the BOE and organizers, detailing how he consults with Thornton throughout the year as well as right before voting to identify any specific needs. "[This goes] back years—not just recently—but they would even be there while we were there with just the paper ballots. . . . As they were bringing those guys to us in the hallways, Mr. Sullivan would be sitting right there. Mr. Thornton would be sitting right there. And just engaging with the guys, just talking to them. Mr. Thornton is always over there going to just deal with any other thing outside of voting. So, he has a pretty good relationship with a lot of the guys over there too as well. So, he would just be saying, just letting them know, 'You did a good job. Thank you.' And things like that."

Once the jail became a polling place, Sullivan suggested having volunteers from voting groups serve as observers alongside him. In Budoo's words, "What we would do is, even when they came over

there to observe . . . BOE staff would include them with the process. Of course, they would be thanking the guys for coming out and voting. And we started to ask them, ‘Hey, you can take our voter stickers and actually give those to the residents after they’re voting,’ because they were already thanking them anyway and that would [help] include them in the process, while they’re observing as well.”

Successful Jail Voting Requires Careful Logistical Planning

Pre-Election Logistics

According to Budoo, setting up a jail polling place is much like setting up any other early voting site. The D.C. jail complex comprises the Central Detention Facility (CDF) and the Central Treatment Facility (CTF). The CDF has 1,000 detainees and higher security compared to the CTF, which has 300 detainees. For that reason, the CDF entailed a more complicated process, and our interviews focused on that.

Well before the election and the setup process, Budoo visited the two facilities to examine the spaces and determine which rooms would make the best vote centers. A major consideration was finding rooms with electrical outlets that were spread out. In CTF, he looked into using the chapel, the law library, and the gymnasium, but ultimately went with the law library over the gymnasium because it had more electrical outlets.

Renee Alexander was responsible for logistics of the voting process within both facilities, having never done anything related to voting. Still, she described the process as being quite easy, recalling, “We had to find appropriate locations in the jail for the voting machines, which wasn’t hard to do . . . and then [coordinate] the logistics of having them bring in the machines. Everybody was cooperative. . . . We had a good relationship with the BOE in regards to collaborating on the logistics of setting everything up.”

Once Budoo knew what the polling place would look like and the number of potential voters, he determined that having three poll pads for check-in would ensure an efficient voting process with lines moving quickly. To further enhance efficiency, he decided that having three early voting days in the CDF made the most sense. There were three floors in the facility, so they could bring people in from one floor each day. This also gave them some wiggle room with timing in case there were unexpected delays, such as a fight forcing a lockdown. Conducting voting with one floor each day helped with the security protocols, with residents being escorted in by a jail staff member.

Alexander recalls, “Before the election, a notice went out to the inmate population that voting would be happening on specific days. So, the incarcerated persons knew that this was their voting day and that they would be called to come to the location to vote. They were told ahead of time to be dressed up and ready at 9 o’clock. And then they would be called to come out to cast their vote, and then the officers would escort them to the location.”

Poll Workers

One extraordinary aspect of how Washington, D.C., implemented jail-based voting is that the BOE and DOC had residents of the jail serve as poll workers. It’s unclear whose idea this was initially, but it proved very helpful for both the BOE and the jail. In fact, it made their jobs easier as they did not have to recruit from the outside or do extra background and security checks.

Sussman told me, “About a month prior to the June primary . . . we got the permission to use the machines. We marshaled our staff here, figuring our normal cadre of election workers might be hesitant to do it in the jail, so we only used BOE staff.”

The primary election in the jail was a success. Sussman relayed that during a meeting with the DOC to discuss lessons learned and begin preparations for the General Election, someone (he couldn’t remember who) asked, “Why don’t we employ incarcerated persons to run the voting machines?” While

there was some initial skepticism, the BOE and DOC leadership supported the idea, so they were able to move forward. The BOE ensured every incarcerated poll worker would be trained in the same manner as other poll workers and paid the same. They worked together to set up the training.

The jail picked 24 residents to serve as poll workers, with the BOE providing the criteria and the DOC choosing the residents. Jail staff needed to make these selections, in part because certain residents had to be kept separate from each other and, sometimes, entire units couldn't be together.

Having residents serve as poll workers also had a big impact on the residents themselves, including in terms of turnout. Thornton said, "I can assure you that when you have folks in your cell or in your block that are participating in running stuff and telling you 'that's how it works,' they let you know, 'Look, this is something you got to do [for] you.' I mean, it isn't coming from someone with a badge on from outside; that's coming from someone that's eating with you every day. I think it leads to . . . more participation."

A few weeks before the election, the BOE brought the machines in and trained the 24 residents. They all passed the class with no problem. Budoo told me they did the same training as they would for anybody else, including training a site coordinator about all the steps in the process, which had a positive impact on the detainees who participated.

Sussman said, "I talked to quite a few of them because I wasn't present for the training. I asked the residents what they thought of the training. And there was a general, genuine excitement about being part of something and about being part of the process. It's only anecdotal evidence but they felt good about it, so I believe we're going to get many, many, many more volunteers for the next election."

The biggest problem was people being released or transferred between training and voting. Eight people were released before the election, so the pool was down to 16 poll workers at the time of the election. Next time, they will recruit and train more workers to account for this.

(Early) Election Day Voting Logistics

In-person voting, with voting machines, occurred in the Correctional Treatment Facility on June 14 and 15, 2022 and in the Central Detention Facility on June 14, 15, and 16, 2022.⁶⁴ Budoo told me that two or three corrections officers had to bring each group of detainees from their cells, and there were two officers in the polling place. No BOE staff accompanied them; it was just jail staff. Security staff were specifically put on "ballot detail," with correctional officers assigned only to voting on those days.

Lenez McCann added that the poll workers were able to check people in and verify their identities with electronic poll books. Once a resident was taken to the polling place, it was determined if they were already registered and, if so, the poll workers printed them a ticket. If they were not registered, some could take advantage of same-day registration (more below). The voters took that ticket to another station, where they could either choose to receive a paper ballot to manually mark their selections or use a touch-screen ballot marking device to make their selections. The manually completed paper ballot or the output from the touch-screen device was then scanned into a digital tabulation machine. This is exactly the same setup as every polling place in Washington.

Because residents were intentionally brought up at certain times, the longest line was 5–7 people. Gaskins told me that the correctional officers determined the number of residents who could be brought up at one time safely. Of the 218 people who voted in the June 2022 primary election at the CDF and CTF, 132 votes were cast in person and 86 were handed in at the polling place or received by mail.⁶⁵

The Importance of Same-Day Registration (SDR)

Importantly, even if a detainee was not registered to vote, they could still vote in jail because Washington has same-day registration (SDR). So, as a resident of the district, a detainee could register and vote at the same time.

Before using the jail as a polling place, detainees couldn't avail themselves of SDR because they had to vote by absentee ballot. However, with the equipment on site, they could register and vote at the same time. This was especially helpful given the transient nature of the population. Before, people would register in advance but leave the jail before the election started. Now, all they needed was a letter from the warden to provide proof of residency.

McCann told me that though Washington, D.C., has had SDR for the general public for some time, "it just hadn't been available to our incarcerated population [before]." The SDR process requires the registrant to sign the electronic poll book, a task that is only possible in person. With voting equipment at the jail, the incarcerated voters are now able to take advantage of SDR.

SDR does require proof of residency, which was a potential barrier for incarcerated voters as they often don't have access to the necessary paperwork. However, incarcerated Washington residents at the DOC can use the DOC as a residential address, provided they have met the 30-day time requirement for residing in the district. Because of this, the BOE was able to resolve the proof of residency requirement by obtaining a proof of residency letter from the director of the DOC.

Thirty-two people at the jails were able to vote because of same-day registration.⁶⁶

Logistical Challenges Can Be Overcome

For the BOE, organizing jail-based voting wasn't hard and the cost was minimal. Since the team at the BOE had already been working in the jails and had so much experience with voting procedures, the process was straightforward and did not entail much extra effort. Budoo told me, "It really isn't that hard, Tova. I think the biggest thing is deciding to do it, really. If the jail is on board, the logistics part, for me, isn't really much different than any other vote center."

Budoo acknowledged that having experience helped but indicated that once an elections staff has completed the process once, it becomes more routine. "You have some individuals who work in offices, election offices, and they've probably never worked outside of the office at a vote center to see how the process goes. If they have experience working in vote centers, once they experience doing it in a jail setting, they see it isn't much different, which will make it even easier going forward."

Budoo's point about getting over the initial hurdles and gaining experience with the process over time applies to the DOC as well. When Renee Alexander was put in charge of jail-based voting, she had never done anything related to elections before. Previously, she was a contract administrator at the halfway houses, so when one of them closed during COVID-19, her responsibilities shifted to voting in the jails. This was the first election in which the jail was a polling place and everyone there could vote, including those who had been convicted of a felony. As a result, ensuring a smooth process was particularly challenging.

The workload for the DOC staff varied slightly from other jurisdictions given that everyone in the jail was eligible. Gaskins and Alexander identified voter registration as the most work because they were fully committed to registering every single person in the facility who wanted to be registered. With the volunteer organizers, they diligently went from cell to cell.

Gaskins explained, "As we're preparing for an election, we'll go cell to cell to find out what their voting status is. So that was . . . the most challenging part because we wanted as many people that were eligible to vote [as possible] to register, and that took coordination with the housing units officers."

The actual voting process was not as much work, Alexander told me, as she was able to easily collaborate with the BOE staff. She said, "Once we made up the schedule for early voting and provided it to the BOE, they cooperated with the schedule."

Although it isn't possible to discern any exact dollar amounts, Sussman and Budoo told me it was not costly, with the only cost being staff time. Jail staff seconded their statement, noting that staff can

be assigned to the polling place and to work with the BOE and organizers. Other costs like outreach, extra mailing, and setting up the extra vote center were minimal. Budoo told me, “We’re asked a lot of questions when we go to the election center conference. They’re very intrigued by what we’re doing. They ask about processes, and so on, but are often worried about funding. They’ll say, ‘We don’t have the money to do it.’ But cost is really not a big issue.”

Conclusion

Washington, D.C., has long been among the most progressive jurisdictions when it comes to voting rights. How they have gone about making voting in jails increasingly accessible is another example of this commitment. However, this did not come to pass without a substantial amount of work. It is the culmination of years of advocacy, policy reform, and relationship-building over time.

Organizers started pushing for better jail voting policies decades ago, laying the groundwork for the current successes in bringing voting rights to people in prison. They have been actively engaged in voter registration and education in the jails long before the voting process took its present form. They built relationships, fostered trust, and enfranchised pretrial detainees and misdemeanants. Establishing the vote center by law took political courage and dedication from legislative champions as they put permanent and enforceable policies in place.

With the laws in place, all the stakeholders found ways to work together. The first go-around was stressful—everything was new to everyone to some extent, and for many, it was completely new. There was a lot of planning involved, and there were some tensions. However, interviewees indicated that they expect the process to be easier going forward thanks to their experience with primary and general elections. With iterative improvements, 2024 should be much more straightforward.

The relationship-building made the logistical implementation of jail voting smoother. Jail staff, the BOE, and the DOC had previously coordinated on other activities, such as voter registration. Organizers had built trust with jail staff over the years by consistently providing additional capacity. The BOE and DOC had a mutual understanding of their respective areas of expertise, and the leadership of all three groups approached the job with goodwill and a commitment to providing voting access to people in jail. These are and continue to be the ingredients for making jail-based voting a success in Washington.

Importantly, this voting experience seemed to have an emotional impact on residents, evoking pride and a sense of connection to society—a connection they were often experiencing for the first time since many had never voted before. Those in Washington who have devoted decades to these efforts believe that having the full voting process, rather than just providing absentee ballots, took the impact of voting in jail, as Charles Thornton put it, “to a whole new level.” Anecdotal evidence suggests that this fuller voting process, which emphasizes community ties, the power to effect change, and a sense of efficacy, might lead to a greater propensity to vote after release.

Future research should focus on how jail voting impacts voters’ propensity to vote in future elections. This will require surveys, interviews, and focus groups over a few election cycles, and examining jail and voting data that is often difficult to procure. If a major goal of activities inside jails is to make residents better citizens when they get out—the re-entry process—understanding this impact will be crucial. Moreover, if an essential goal of democracy is to ensure the voting rights of all eligible voters, understanding the process necessary to realize that goal is equally important.

Recommendations

As organizer and government interest in ensuring voting rights for people in pretrial and misdemeanor incarceration has increased, a number of key recommendations for facilitating jail voting have come out in the last several months. The findings of this report confirm and align with all of them.

- Designate a staff person at the jail to be responsible for voting. Charlie Sullivan recommended this, and the legislation adopted it. That person should be enthusiastic about the program.
- Hire someone with experience with the corrections system to work at the BOE or, potentially, someone who is a returning citizen themselves.
- Establish a clear understanding of the respective roles and responsibilities of organizers, the BOE, and the DOC to avoid tensions going forward. This mutual understanding should extend to each party in relation to the other two. Organizers must respect the roles of the BOE and DOC, the DOC needs to accommodate organizers as much as possible, and the DOC and BOE must work in close partnership from the outset. All three parties need to respect the people who work at the jails as experts. No one is an adversary.
- Do as much as possible early on. Organizers and advocates should start the process well in advance of the jail becoming a polling place.
- Policymakers should include organizers and advocates, especially those who have already been involved in voter registration and distribution of mail ballots, from the beginning.
- Other jurisdictions should replicate the EMA requirement that jails must collect address information from incarcerated persons. They can then use this information to track them post-release (or if they go to another facility) to facilitate voter registration and mail-in ballot distribution.
- Require by law that the jail be designated a polling place. Numerous interviewees, including council member Charles Allen, attested to the importance of requiring that the jail be designated a polling place in law because it allows oversight, compels the agencies to talk to each other and work together, and provides legal recourse for failure to comply since organizations can use the statutory requirement to compel compliance.
- Hire detainees as poll workers and train and pay them like any other poll worker. Jail staff should select which incarcerated persons can be poll workers. Furthermore, it's crucial to train more than enough detainees because people will be released between training and voting.
- Enhance the efficacy of jail-based voting with same-day registration. Many more detainees will be able to vote, and given the highly transient nature of this population, same-day registration is a particularly helpful way to safeguard their right to vote.
- Have a champion(s) in the legislative body. If it's in any way possible, have that champion on the committee that oversees elections and/or the criminal justice system. Charles Allen could not tell the DOC how to do things, but he was chair of the oversight committee with jurisdiction over them and responsibility for evaluating them. This point of leverage could be useful for other cities.
- Post the BOE's contact information in the jails and allow calls to the BOE free of charge. If a "hotline" is created, it should be done in coordination with organizations already providing this kind of assistance, such as the League of Women Voters (as is the case in D.C.) or Election Protection.

Ideas for the Future

- Make voting in jails part of the re-entry program. How the BOE, DOC, and other government agencies incorporate voting into re-entry programs is beyond the scope of this report. However, several interviewees told me this is part of the re-entry process, and it does in fact help re-entry. To be successful in re-entry, community ties are important, and feeling connected to the political process contributes to that feeling of community.
- If security allows, a member of the elections team or a trained volunteer should accompany officers when they are bringing detainees to the polls. Corrections officers are not elections experts. They are not versed in things like same-day registration, and many detainees may believe they are not eligible to vote because they are not registered. Although I heard many examples of corrections officers being wonderfully encouraging and enthusiastic about voting, not everyone will feel like that's their job. Volunteers and elections officials believe that voter participation can vary by unit depending on the officer who brings them up to vote. The logistics and parameters of that, including limitations on movements, would have to be carefully coordinated before implementation.
- Establish clear and specific reporting requirements for the BOE and DOC. As noted, in Washington there is an independent oversight body, the Corrections Information Council (CIC), that oversees the facilities incarcerating Washington citizens. While the BOE and DOC must share data and other information about registration and elections in the prisons and jails with the CIC, there is no clarity around the types of data the agencies must provide.

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58. In addition to pushing and promoting voter registration and voting in jails and prisons, one of Thornton’s goals in going into government was to open doors for others like him. “We really began to reach out to relevant agencies, the Department of Public Works, Department of Transportation, and . . . Department of [Recreation], and we created a real track [record] of bringing . . . formerly incarcerated people with criminal records into government.” A few years later, he transitioned to become the chair of the Corrections Information Council.
59. It was also at that time that Thornton introduced the term “returning citizens,” which would go on to become the mainstream way of referring to people who had been in prison. The office was originally called the Office of Ex-Offenders. “One of the first pieces of legislation that was introduced through the office was changing the name to Returning Citizens,” he recalls. Then, under Obama, when the Second Chance Act was getting another round of funding, they were able to change the term “ex-offender” to “returning citizen” legally—and President Obama began using the term himself.
60. The EMA also required the DOC to become an “Automatic Voter Registration Agency,” obligating them to automatically register eligible detainees to vote unless they affirmatively opt out. The agencies are still working on implementing that. Washington, D.C., uniquely has “Advisory Neighborhood Commissions,” which serve as a neighborhood’s voice in Washington government. The EMA combined the two incarceration facilities into a voting district for the ANC, ensuring that incarcerated persons elected someone from the jail to represent them at the ANC.
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A PUBLICATION OF THE

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