

The background features a complex network diagram with numerous nodes and connecting lines. The nodes are represented by small circles in various shades of brown and gold, while the lines are thin and dark. The overall color palette is muted, consisting of greys, browns, and golds. At the bottom of the image, there is a white, torn-paper-like border that separates the network diagram from a solid black area below it.

Another Lost Opportunity

LWV-NYS Criminal Justice Committee
Hazel Weiser, presenting

Qualifications to Register to Vote

- Citizen of United States
- 18 years of age on Election Day
- Resident of NYS and County for 30 days prior to the election
- Not in prison for a felony conviction
- Not adjudged mentally incompetent
- Not claiming the right to vote elsewhere

Citizen Detainees in County Jails Are Eligible to Register to Vote If They Are:

- Serving a misdemeanor sentence
- Awaiting trial for even a felony charge



Barriers to Jail House Voting

- Confusion about eligibility to vote
- Registration barriers
- Ballot casting barriers
- Jail population churn

Most pervasive reason: Voting is not a priority of the sheriff, public safety and law enforcement are paramount

NYS County Jail Populations

- As of March 2023, county jails housed **16,138 detainees**
- **2,493 persons** serving misdemeanor sentences
- **11,544 persons** awaiting trial



Rikers Island Jail Populations

- As of March 2023, **5,845 detainees** in the jails on Rikers Island
- **468 persons** serving misdemeanor sentences
- **5,137 persons** awaiting trial

Creating a Project Without a Budget

- Hired four law school students to be supervised by two attorneys
- Developed survey
- Trained law school students
- Contacted all local LWV chapters
- Interviewed sheriff's office personnel

What we learned from the survey is that the availability of voting depends on the authority of the sheriff, not on the current law.

**57 County
Sheriffs'
Offices
Were
Contacted***

No Program	No Details	Postings Only	Postings Election Time	Tablet, Handbook, Kiosk	Fuller Program
16	5	4	6	3	12

Would your jail benefit from training sheriff's deputies or other staff on voting issues?

Yes, open to training	No training needed	Unsure	No response
12	27	6	1

Recommendations: Quick Fix

- Include information about eligibility to vote, registration applications and deadlines, application for absentee ballot, and election dates in all handbooks, electronic tablets, and electronic kiosks with signage posted in common areas throughout the jail, and in the intake and release areas
- At arrival, screen detainees for eligibility to vote and provide registration materials. Information about voting should be included in any handbook, electronic tablet, or electronic kiosk and available in the law library, if one is in the facility
- At release, screen for eligibility to vote and provide registration materials, just as jails and prisons do for released convicted felons
- Encourage sheriffs' offices to work with outside non-partisan organizations to provide civics education and neutral information about voting, candidates, and issues

Recommendations: Long View

- Fund the NYS Board of Elections to develop an informational jail-based voting program with posters, updated annual informational pamphlets in paper and digital form, a video and/or PowerPoint presentation on voting to be distributed to all county jails along with a timetable for presentation and use of these materials.
 - Materials will explain the eligibility to vote, how to register, how to apply for an absentee ballot, how to complete an absentee ballot, and how to get everything delivered to the Board of Elections in a timely manner; as well as basics on why voting is important
 - Materials should be available in multiple languages
- Local Boards of Election and local community-based organizations should be encouraged to help local jails with these presentations and provide the help needed to complete forms and absentee ballots.



Recommendation: Legislation

Voting in Jails Bill—S. 6875, Senator Zellnor Myrie, sponsor

- Authorizes but does not mandate polling places to be available at correctional facilities and local facilities; requires such facilities to provide persons detained or confined in such facilities access to register to vote or apply for an absentee ballot; requires voting information to be included in the inmate handbook
- Requires funding in annual budget