DEMONSTRATION
DETAINED

Fulfilling the Promise of the Right to Vote from Jail Toolkit for Advocates

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Based on the level of support for jail-based voting in your area, there are steps advocates and allies can take to push forward the implementation of jail-based poll sites, or “jail-based voting” (JBV). This information is based on LDF’s and partners’ work in Texas, and some tactics may need to be amended to accommodate differences in particular roles, appointments, or processes in other jurisdictions.

**INTRODUCTION**

**STAGE 1**  
Gain support from jail and elections administrators

**STAGE 2**  
Mobilize public support for jail-based voting

**STAGE 3**  
Work with Sheriff’s office, jail administrators, and elections administrators to implement jail-based poll site
STAGE 1

GAIN SUPPORT FROM JAIL AND ELECTIONS ADMINISTRATORS

Consolidate support for JBV among the relevant county officials though a largely “inside approach” and, where relevant, begin influencing the pending Commissioner’s Court or Elections Administrator appointment process to help ensure that a reform-minded, JBV champion assumes the position. This process will vary among jurisdictions based on the political dynamics of your community.

- **Send advocacy letter(s) or emails** to local elected officials like the Mayor, County Clerk, Sheriff, and Commissioner’s Court or Board of Elections Commissioners suggesting that they advance a jail-based poll site, and, where relevant, appoint an Elections Administrator and hire staff that will champion JBV. The contact information for these individuals should be readily available online for your municipal or county government. For a sample advocacy letter to elected officials, elections administrators, and jail administrators, please see [this sample](#) from Texas’ Travis County Jail-Based Voting Coalition or [this sample](#) from New York partners.

- **Provide public comment** during Commissioner’s Court or local Board of Elections meetings about JBV. This will raise the issue more directly to the attention of the County Judge and Commissioners and will document the community stakeholders’ position on this issue on the public record.

- **Hold meetings** with the relevant county offices (Elections Administration, County Attorney, Commissioners, and jail administrators) and, where relevant, the Sherriff’s office, about JBV to account for their current position, and secure their support.

- **Reach out** to elected officials (state and local) who have expressed support for criminal legal system reform or voting rights expansion and hold meetings with community stakeholders to provide briefings on the jail-based voting issue.

- **Identify and involve** formerly incarcerated residents in the coalition, ongoing campaign planning, and execution of advocacy tactics and activities.
MOBILIZE PUBLIC SUPPORT FOR JAIL-BASED VOTING

If there is an opportunity to fill a vacancy on the Commissioner’s Court or Board of Elections, we recommend moving the campaign to a more “outside approach” in order to build public support for jail-based voting, respond to potential opposition backlash, and, importantly, secure support from law enforcement entities, such as Corrections Officers or Sheriffs for JBV.

- **Hold a town hall-style meeting** with the new candidate(s) for Commissioner’s Court or Elections Administrator and request/demand their support for JBV.

- **Work with coalition members** and local civil rights attorneys to draft state or local legislation to mandate jail-based voting if statutory provisions are required for implementation. See sample legislation [here](#) from Illinois.

- **Identify pro-voter legislators** or elected officials on a local level to introduce jail-based voting legislation or promulgate rules to implement jail-based polling places.

- **Coordinate a public engagement drive** whereby system-impacted people and their families reach out to local elected officials and elections stakeholders in order to highlight the disenfranchisement occurring.

- **Create a social media toolkit**, issue and policy one-pagers, and other relevant materials for use by allied community stakeholders and JBV supporters to help guide them as to how they can plug into the campaign and uplift the issue digitally. See an example [here](#).

- **Plan educational events** and teach-ins to educate community members about the right to vote for eligible jailed people. At large-scale events, direct pro-JBV comments to local media sources to increase awareness about the public pressure campaign. Events like these can also be utilized to good effect if there is a Sheriff or Department of Corrections vacancy that needs to be filled via appointment.
STAGE 2

MOBILIZE PUBLIC SUPPORT FOR JAIL-BASED VOTING

- Launch a pro-JBV petition drive, and plan a process to both invite and prepare signees — especially system impacted individuals — to deliver testimony to Commissioner’s Court on the day of the vote for the jail-based polling place.

- Host an educational pro-JBV panel/town hall for a community-based audience made up of grassroots voices, experts, and county official(s), and upload the recording to either Facebook or YouTube for the future reference of movements in other municipalities and states. Be sure to have language translation available at town-hall events and large public convenings, as well as educational resources that are translated to accommodate non-English speakers.

@cbcbma
Take action to end jail based disenfranchisement!

- Write Your Legislators - Pass Amendment #1 on VOTES Act
- Yes on Amendment #1 - Messaging Toolkit
- Write Your Legislators - Support H.348/S.474
- Follow us on Twitter!
- Endorse the Jail Based Voting Bill
- 6/30 Town Hall Recording
Once a contact in the Sheriff’s office is identified, oversee the implementation of jail-based polling locations in the county’s carceral facilities, and ensure that the work is carried out without delay and in time for the soonest upcoming election possible. Main tactics for this strategy include:

- **Provide area jails with educational materials** about the background of jail-based voting and successful jail-based polling places. Utilize sources like the “Democracy Detained” brief.

- **Provide Elections Administrators and staff with training** on the foundational right to vote from jail and how they can set an example for the entire state. It may be helpful to refer to positive case studies like Chicago, Texas, and D.C.

- **Hold regular meetings** with county officials, especially the Elections Administrator’s and Sheriff’s offices. Advise these officials on the logistics of establishing jail-based polling locations that are compliant with state election law, and the current structural barriers to voting while detained.

- **Identification is a major barrier for detained people that can lead to voting being functionally impossible.** Bearing this in mind, **launch an advocacy campaign** to allow eligible jailed voters to receive an additional form of identification in the jail. In some places, voters may receive identification from the outside to be held on file in the jail business office. This is one proposal that may help voters access necessary identification even if jail policy prohibits them from having it in their possession. Volunteer deputy registrars can also go into the jails to educate voters about the identification needed to be able to vote and register voters to bring them one step closer to the ballot box. See the work of one such volunteer organization here.

- **Review the proposed elections plan** from the Election’s Administrator, with particular emphasis on the sections that cover jail-based polling locations, and provide feedback.

- **Analyze participation rates** of system-involved voters in the new jail-based polling locations as they become available, filing public records request if necessary.
STAGE 3

WORK WITH SHERIFF’S OFFICE, JAIL ADMINISTRATORS, AND ELECTIONS ADMINISTRATORS TO IMPLEMENT JAIL-BASED POLL SITE

- **Continue coordinating social media** activity with allies that, at this stage, highlights jail-based voting becoming a new addition to the county’s elections infrastructure.

- **Maintain consistent communication** with Elections Administrator’s office and state corollary (Secretary of State or State Elections Commission) to ensure there is proper funding to administer the jail-based voting site.

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As of September 2021, we have registered **3,500 eligible voters at the Harris County Jail**

Get involved
The Thurgood Marshall Institute (TMI) is a multidisciplinary center within the Legal Defense Fund (LDF). Launched in 2015, the Institute complements LDF’s traditional litigation strengths and brings critical capabilities to the fight for racial justice, including research and targeted advocacy campaigns. The Institute also houses LDF’s Archives—a collection of materials chronicling the legal history of the Civil Rights Movement.

The Prisoners Legal Advocacy Network (PLAN) is a non-profit organization that provides cost-free legal advocacy, services, and support to incarcerated individuals nationwide. PLAN’s inside-outside coalitions of jailhouse lawyers, prison paralegals, directly impacted outside advocates, and attorneys work to defend and expand the legal rights of presently and formerly incarcerated individuals so that those who are directly impacted by the U.S. criminal legal system can live with dignity and without fear. Thank you to the PLAN jailhouse lawyers, prison paralegals, formerly incarcerated advocates, law clerks, and attorneys who helped conceptualize and develop this resource.

TMI and PLAN are grateful to the tireless advocates working across the nation to advance justice from the ground up in your communities. Thank you for sharing your lived experiences and working to unlock the power of all voters in detainment. Special thanks to Durrel Douglas and Houston Justice, Roshawn Evans and Pure Justice, MOVE Texas, ACLU Texas, advocates from the Harris County Elections Administrators Office, South Carolina for Criminal Justice Reform, Chicago Votes, and the Chicago Lawyer’s Committee for Civil Rights for their contributions.