

DATE:	MAY 13, 2022
NUMBER:	N.9
SUBJECT:	INCARCERATED PERSON VOTING
RELATED SECTIONS:	

PURPOSE

To provide a procedure whereby the County Registrar of Voters allows qualified incarcerated people to register and vote in local, state and federal elections, pursuant to election codes.

POLICY

Qualified incarcerated people may register to vote while in custody. Incarcerated people who are registered voters and who request to exercise their voting privileges for an Election Day will be assisted by a Reentry Services facility staff member by providing a Voter Registration Card and/or a Vote-By-Mail application and sending it to the Registrar of Voters.

PROCEDURE

I. REGISTERING TO VOTE

Incarcerated people meeting the eligibility requirements are entitled to receive a voter registration card while in custody (refer to www.sos.ca.gov for current eligibility requirements). To request a registration card, the incarcerated person must send a letter via U.S. mail to the Registrar of Voters office or submit an incarcerated person request to facility Reentry Services staff (counseling office). The completed voter registration card must be returned to the election's office no less than 15 days before an election to be eligible to vote in that election. The request for a registration card and the completed registration card can be returned to the counseling office to be forwarded to the Registrar of Voters or the incarcerated person can mail it to the following address:

Registrar of Voters
P.O. Box 85093
San Diego, CA 92186-9910

II. VOTE-BY-MAIL VIA U.S. MAIL

Requests for a Vote-By-Mail ballot application must be mailed to the Registrar of Voters office no earlier than 60 days before the election and no later than 7 days before Election Day, in order for an incarcerated person to vote by mail. The Vote-By-Mail ballot applications can be obtained by submitting an incarcerated person request to facility Reentry Services staff. The incarcerated person is responsible for returning the ballot application to the counseling office to be forwarded to Registrar of Voters, or by mailing the application to the address above.

III. VOTE-BY-MAIL BALLOT APPLICATION - LATE VOTING

- A. An incarcerated person can request a Vote-By-Mail ballot application for late voting from seven days to one day prior to the election in order to receive a ballot on Election Day. Incarcerated person requests for late voting applications should be forwarded to Reentry Services staff at each facility.
- B. If the incarcerated person is a registered voter, a designated Reentry Services staff member will deliver a Vote-By-Mail ballot application for late voting to the incarcerated person. The incarcerated person will fill out the application, authorizing a staff member to obtain a ballot from the Registrar of Voters office. Applications must be submitted no later than noon one day prior to Election Day.
- C. The completed Vote-By-Mail ballot application for late voting will be processed (dropped off to the Registrar of Voters office) by the designated staff member.
- D. Reentry Services will designate a staff member to pick up the ballots from the Registrar of Voters office. The staff member will sort out the ballots and distribute them to each facility.
- E. Reentry Services staff at each facility will deliver the ballots to each incarcerated person. Incarcerated person should be provided with a private place to fill out their ballot. The housing unit deputy will determine the appropriate private area for incarcerated person to complete their ballot. This will be based on the layout of the housing unit and the incarcerated person security level. Areas to consider: inside a cell (if housed alone), interview room, multipurpose room, classroom, recreation yard, etc. The incarcerated person will sign and seal their ballot in the envelope and retain it until collected by a designated Reentry Services staff member. The designated staff member must sign the back of each envelope, collect all envelopes and drop off at any polling site by 5:00 pm on Election Day.
- F. Under California law, Conditional Voter Registration (CVR) allows prospective voters to conditionally register and vote provisionally on Election Day. With the assistance of the Registrar of Voters, the detention facilities may act as a satellite office on a specified day after the close of registration in order to provide same day registration and voting to the incarcerated population.