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Formerly Incarcerated New Yorkers, Advocates, Elected Officials Hold Election Day Rally to Demand Polling Site on Rikers Island

(NEW YORK, NY) - **The Vote in NYC Jails Coalition**, comprised of formerly incarcerated New Yorkers, advocates, legal services and voting rights attorneys, today joined lawmakers in front of the Board of Elections central offices in Manhattan to demand ballot equity and voting access for eligible voters detained in New York City jails. The Coalition delivered a [memorandum](#) to the Board of Elections, detailing the agencies' repeated failures to provide meaningful ballot access to individuals detained in New York City's jails, and calling for the BOE to provide the same ballot access to people who are incarcerated as they do for those who are at liberty.

This press conference is part of a series of rallies held each Election Day in 2024 to call for action and accountability from the Board of Elections and Department of Correction and ensure that each voter has their voice heard.

Access to the ballot is foundational to our democracy, necessary for the health of communities, and is a vital part of New Yorkers' sense of belonging and engagement with government. While voting is always important, this election year New Yorkers can vote for all levels of federal government, members of the state legislature, and ballot measures that could amend the State Constitution. The Coalition calls on the Board of Elections and Department of Correction to ensure that people incarcerated have the same access to the ballot for these important elections that those who are not currently within the criminal legal system have.

"Each Election Day, the Board of Elections and Department of Correction fails thousands of eligible voters who are detained on Rikers Island," said **Claire Stottlemeyer, Attorney at the Legal Aid Society and member of the Vote in NYC Jails Coalition**. "Despite being fully aware of the disenfranchisement happening in our jails, the BOE has repeatedly told Black and brown voters who are disproportionately impacted by the criminal legal system that their voice and vote doesn't count. We call on the BOE to ensure that every incarcerated voter has the same access to the ballot as those who are not incarcerated by administering a real voting program and installing polling places throughout NYC jails."

"When we talk about voter suppression laws across the country, we often forget about places, like New York City, where it doesn't present as publicly," said **Public Advocate Jumaane D. Williams**. "Right now, thousands of incarcerated people, largely Black and Brown New Yorkers, are being disenfranchised through a lack of equitable access to the ballot. The City must realize a new vision of justice, one that includes making voter

education, registration, and on-site voting easily available to people on Rikers, who have the legal right but not the ability to participate in our elections."

"New Yorkers detained in jail overwhelmingly meet the qualifications to vote," said **Johari Menelik Frasier, Equal Justice Works Fellow Sponsored by Fenwick & West LLP at The Bronx Defenders**. "The BOE and DOC must do more to ensure every New Yorker in DOC custody knows about their right to vote and can exercise that right. These agencies should be working together to put a polling place on Rikers to guarantee New Yorkers inside have the same access to the ballot as those outside."

"All voters should have equal access to early voting yet those detained do not always have a way to vote," said **Cesar Ruiz, Associate Counsel at LatinoJustice PRLDEF**. "We demand that the Board of Elections and Department of Correction give equal and unfettered access to the ballot for those detained. Our democracy doesn't work unless we all have an equal opportunity to participate in it. Which is why we at LatinoJustice will continue to work until we build true access to our democracy for all."

"Black and Brown New Yorkers have long been disproportionately caught up in the criminal legal system, and that pattern continues to this day," said **Jason Williamson, Executive Director of the Center on Race, Inequality, and the Law at New York University School of Law**. "Consequently, it is vitally important that individuals being held in jails and prisons across the state—including at Rikers—be given equal access to the ballot box. The Center on Race, Inequality, and the Law demands that the Board of Elections and Department of Corrections do more to ensure that these often-ignored voices can meaningfully take part in the political process."

"Almost all the New Yorkers locked up on Rikers are presumed innocent and have a legal right to vote. But they have been effectively disenfranchised because of the negligence and incompetence of the responsible government agencies," said **Robert Gangi, Director of the Police Reform Organizing Project (PROP)**. "We call on the powers that be in our great city -- Mayor Adams, City Council Speaker Adams, Public Advocate Williams, & Comptroller Lander -- to make sure that the Department of Correction and the Board of Elections take all practical steps needed to provide voting access for our fellow citizens who are confined in NYC's jails."

"The League of Women Voters of NYC has worked for more than 100 years to engage all New Yorkers' participation in local communities and government through voting, civic education and issue advocacy. This is especially important for individuals in NYC jails who have the legal right to vote," said **Kai Rosenthal, Co-President, League of Women Voters of the City of New York**. "The League is committed to increasing ballot access and education about ballot issues for those detained pretrial or serving misdemeanors and we call on the Board of Elections and Department of Correction to work with the coalition to ensure that this often-overlooked community have their voices heard in our democratic process."

"We all believe that the right to vote must be protected and accessible," said **Darren Mack, Co-Director at Freedom Agenda**. "Unfortunately, there has been a long history of voter disenfranchisement and suppression of marginalized communities that still lingers today. As we carry this baton today in the struggle for voting rights for incarcerated New Yorkers, know that we stand on the shoulders of those who fought for access to the ballot and just like them we are on the right side of history. Now is the time to right these wrongs."

"Nearly 90 percent of individuals currently detained in New York City jails are non-white," said **Stephen Dunn, Attorney at the Community Service Society of New York**. "The votes of Black and brown New Yorkers are being suppressed by current DOC and BOE policies and procedures. If we truly care about fair and free elections and full participation in the democratic process, we must ensure the right to vote for incarcerated citizens."

Background on voting in NY jails:

Since 2020, the Vote in NYC Jails Coalition has facilitated a program within Rikers Island to help New Yorkers detained pretrial register to vote and request an absentee ballot in advance of Election Day. Through this initiative,

there has been an increase in voter engagement and awareness among incarcerated individuals. However, in 2023, only 227 absentee ballots were returned to the Board of Elections and issues remain to ensure all returned ballots are counted. Thousands of New Yorkers miss out on this opportunity each Election Day to have their voices heard, and the Coalition has seen the absentee ballot process repeatedly fall short, preventing thousands at Rikers from having true access to the ballot.

Even though people incarcerated pre-trial or convicted of misdemeanors retain their right to vote, they face significant barriers to voting in jails within New York City. The VJC has worked with the Department of Correction to break down these barriers, and while lessened in severity, they remain. The process of ensuring ballot access to New Yorkers within jails is under-resourced and ineffective. Additionally, gaining access to information about candidates and elections can be extremely difficult for people who are incarcerated. Information about eligibility requirements and deadlines for voters can be out of date and circulated infrequently. People detained during the registration period may not have a meaningful opportunity to register to vote or request an absentee ballot before such period closes.

We cannot say we live in a true democracy if we do not allow the most marginalized amongst us to vote. That includes people who are incarcerated in New York City's jails; their voices deserve to be heard.

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