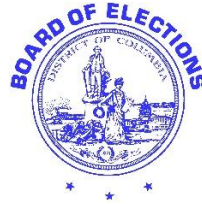


**District of Columbia
Corrections Information Council
And
Board of Elections**



Thematic Report

**Implementation of Recommendations
Regarding Restore the Vote Amendment Act
2020
as of 2024 General Election**

April 2, 2025



District of Columbia Corrections Information Council

Charles Thornton, Board Chair
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About the District of Columbia Corrections Information Council

The District of Columbia Corrections Information Council (CIC) is an independent oversight body mandated by the United States Congress and the Council of the District of Columbia to inspect, monitor, and report on the conditions of confinement in correctional facilities where residents from the District of Columbia are incarcerated. This includes facilities operated by the Federal Bureau of Prisons (BOP), the District of Columbia Department of Corrections (DOC), and private contractors.

The CIC reports its observations and recommendations to the District of Columbia Representative in the United States Congress, the Mayor of the District of Columbia, the Council of the District of Columbia, the District of Columbia Deputy Mayor for Public Safety and Justice, the Director of the BOP, the Director of the DOC, and the community.

Although the CIC does not handle individual complaints or provide legal representation or advice, individuals are still encouraged to contact the CIC. Reports, concerns, and general information from incarcerated DC residents and the public are very important to the CIC, and they greatly inform our inspection schedule, recommendations, and reports. However, unless expressly permitted by the individuals or required by law, names and identifying information of residents, corrections staff not in leadership, and members of the general public will be kept anonymous and confidential.

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District of Columbia Board of Elections

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About the District of Columbia Board of Elections

The District of Columbia Board of Elections (Board) is the independent agency of the District of Columbia government responsible for the administration of elections, ballot access, and voter registration. The Board consists of three active Board members, an Executive Director, a General Counsel, and other staff who run the day-to-day operations of the Agency.

The Board is established under §3 of the District of Columbia Election Act, approved August 12, 1955 (69 Stat. 699; DC Code §1-1001.01 et seq.). The Board is vested with authority to administer and enforce the provisions of the District of Columbia Election Act, as amended, and the District of Columbia Campaign Finance Reform and Conflict of Interest Act, approved August 14, 1974 (88 Stat. 446; as codified in DC Code §1-1101.01 et seq. (1981).

The Board's mission is to enfranchise eligible residents, conduct elections, and assure the integrity of the electoral process. This mission, mandated by federal and local statutes, is executed through:

- The operation of the District of Columbia's voter registration system
- Administration of the ballot access process for candidates and measures
- The delivery of comprehensive public, media, and voter information services
- Maintenance of technical systems to support voting and ballot tabulation
- The planning and implementation of each District of Columbia election
- The performance of legal counsel, rulemaking, and adjudication functions

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Introduction

D.C. Official Code §1-1001.05 (m) mandates that the Board of Elections (“the Board”) and the DC Corrections Information Council (“the CIC”) provide, on a biennial basis, a report to the Mayor and Council on the [Restore the Vote Amendment Act of 2020](#)¹ (“the Act”), including:

- (1) The number of incarcerated qualified electors registered since [April 27, 2021], or, beginning in the July 1, 2023 report, since the date of the previous report;
- (2) The number of incarcerated registered qualified electors who voted, for each election held since [April 27, 2021] or, beginning in the July 1, 2023 report, since the date of the previous report;
- (3) An analysis of the Act's implementation and any identifiable challenges; and
- (4) Any policy or legislative recommendations to ensure that all incarcerated qualified electors have a meaningful opportunity to register and vote.

On March 8, 2023, the Board and the CIC presented a report² covering the period from the November 3, 2020 General Election through the November 8, 2022 General Election, which contained several recommendations to both the DOC and the Federal Bureau of Prisons (BOP). This report focuses on the implementation of those recommendations and offers additional recommendations to improve the implementation of the Act based on additional outcomes of the May 28-29, 2024 Primary Election and the October 29-31, 2024 General Election.

Data on Registrations and Voting in DOC and BOP

	Number Registered to vote in DOC	Number registered to vote in BOP
General Election November 2020	data not collected ³	562
Primary Election June 2022 ⁴	405 ⁵	824 ⁶
General Election November 2022	767	920
Primary Election June 2024	477 ⁷	1097 ⁸

¹ DC Law 23-277, Restore the Vote Amendment Act of 2020, Apr. 27, 2021, <https://code.dccouncil.gov/us/dc/council/laws/23-277>.

² Implementation of the Restore the Vote Amendment Act of 2020, https://cic.dc.gov/sites/default/files/dc/sites/cic/page_content/attachments/CIC%20%26%20BOE%20Voting%20Report.pdf

³ Data collection system was implemented in March 2022.

⁴ Under the District of Columbia’s closed primary system, only those voters registered with one of the major political parties (Democratic, Republican, and D.C. Statehood Green) may vote in that party’s primary election to determine that party’s candidates in the general election. All registrants are eligible to vote in a general election; therefore, there are more eligible voters for general elections.

⁵ There are some residents in the DOC who are registered and voted using their home address rather than the residential or mailing address of 1901 D or E Streets. As a result, it is not possible to provide an absolutely accurate number. Additionally, forty-eight (48) of the electors registered as unaffiliated and were therefore appropriately not mailed a ballot for the primary. They were mailed a ballot for the general election in November 2022.

⁶ Eighty-three (83) of the electors registered as “unaffiliated”; therefore, they were appropriately not mailed a ballot for the primary. They were mailed a ballot for the general election in November 2022.

⁷ Seventy-seven of the electors registered as “unaffiliated”, therefore, they were appropriately not mailed a ballot for the primary. They were mailed a ballot for the general election in November 2024.

⁸ One hundred and twenty-eight of the electors registered as “unaffiliated”, therefore, they were appropriately not mailed a ballot for the primary. They were mailed a ballot for the general election in November 2024.

General Election November 2024	655	1173
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	Number voted in DOC	Number voted in BOP
General Election November 2020	333	264
Primary Election June 2022	218	257
General Election November 2022	241	403
Primary Election June 2024	257 ⁹	373
General Election November 2024	544 ¹⁰	654

The DC Department of Corrections (DOC)

Follow-up on Recommendations regarding Voter Registration

Previous recommendation: The Board and DOC should continue to partner with other government agencies and advocacy organizations to conduct voter registration drives throughout the year to supplement efforts by the DOC staff.

Implemented, but may be to the detriment of the overall goal of voter registration

The DOC utilizes partner organizations and is not fully serving as an automatic voter registration agency (AVR) as required by law. As required by the Act, the DOC established the role of Lead Voting Coordinator. The Coordinator worked collaboratively with Board staff and advocacy organizations to ensure voter registration forms were distributed and fully completed, and that voter educational materials were available. However, this process should be secondary to the process of registration upon admission to the facility. Recognizing that admission to the facility can be a stressful process for the individual and the staff, it is recommended that the DOC consistently use the system already in place - whereby case managers follow-up with residents regarding voter registration at subsequent meetings.

Five hundred forty-four in-person votes during the 2024 General Election is quite laudable. However, 172 people incarcerated at the DOC completed same-day registration prior to voting in person, which is one indication that more attention is needed to use the current registration process more consistently. The intent is not only to ensure residents have an opportunity to vote, but also to provide a basic education on the electoral process and registration opportunities for as many residents as possible. More consistent registrations throughout the year may not increase the number of in-person votes since same-day registration is available, but it will enable more people to take part in the electoral process once released or transferred to the BOP (note: same-day registration is not available while incarcerated in the BOP).

⁹ Of the 257 persons who voted in the 2024 Primary Election at the DOC, 216 votes were cast in person; 41 were handed in at the polling place or received via the mail. Ninety-one persons at DOC voted immediately after using same-day registration.

¹⁰ Of the 544 persons who voted in the 2024 General Election at the DOC, 428 votes were cast in person; 116 were handed in at the polling place or received via the mail. 172 persons at DOC voted immediately after using same-day registration.

Previous recommendation: The Board should develop more thorough educational materials about voting and voting registration, including materials that inform residents about the closed primary process.

Implemented by BOE, but the DOC did not provide the materials to the residents

The Board developed lesson plans about voting and registration; however, the DOC did not provide these materials to the residents in hard copy form nor on the tablets.

New Recommendations regarding Voter Registration

New recommendation: The DOC should comply with the law to become a fully operational automatic voter registration agency (AVR).

The Act requires the DOC to become an AVR agency, however, the DOC has implemented a paper-based process to fulfill the spirit of the Act providing residents with the opportunity to register. As part of intake, staff uses a form to check if the resident: 1) was given a voter registration card to complete, 2) states that they are currently registered, 3) refused to register, or 4) is not eligible to vote. Case management staff then follow-up with additional opportunities to register after intake. Completed registration forms are then scanned and emailed to the Board. This process provides the Board with all the necessary information to successfully register qualified electors. The DOC also utilizes local advocacy groups to come to the facility to register voters. Registration forms from those events are also forwarded to the Board.

Implementing a fully operational AVR is a complicated and potentially expensive undertaking. During the process of becoming an AVR, improvements to current process are needed. With both the paper-based intake and case management processes in place, registrations are inconsistent throughout the year, increasing sharply as elections near. While this could be due to increased interest in the elections, the DOC should seek additional venues to provide opportunities to complete registration forms (i.e., during orientation programs) to improve consistent outcomes.

New recommendation: DOC should update policies regarding voting and make those policies available to residents and on the DOC website.

DOC Policy 4020.4A “Inmate Voting Process” was last updated January 17, 2017, before the Act was passed. Also, information about voting on the DOC website is out of date.

New recommendation: The DOC should post additional election-related signage throughout the DOC.

There was one sign posted throughout the entire complex informing residents about voting, which was located in the CTF library. It is recommended to post signs in each housing unit, as well as in commonly used areas where other general information is posted (i.e. libraries). Signage should include their voting rights, as well as important dates related voting.

Follow-up Recommendations regarding Voting

Previous recommendation: The Board should be able to use reliable information obtained from the DOC to update the address information of incarcerated voters.

Fully implemented

The DOC provides the Board with a monthly roster of those transferring to the BOP, which is helpful in the initial step of tracking potential voters in the BOP. This provides the Board with targeted outreach opportunities for those that are not yet registered, as well as the ability to update the mailing addresses of those already registered. The DOC also provides a complete census, upon request, to help the Board maintain a more accurate voter roll. Both lists are helpful in tracking those who have returned to the community from DOC custody.

Previous recommendation: The Board should schedule voting and same-day registration for residents on the DOC's restricted units on the first day of the voting period, so that ballot dissemination and collection can be done during the designated voting dates.

Fully implemented starting with the November 2022 General Election.

This practice should continue. The Board was able to complete the registrations and provide ballots to those in the restricted units during the early election period.

New Recommendations regarding Voting

New recommendation: DOC should develop a tracking system to ensure that all eligible voters are allowed to come to the on-site voting center.

A tracking system, such a census generated by the DOC, is needed to document when each unit has been notified of the opportunity to vote and which individuals from each unit came to vote. While the DOC staff generally escorts residents to the designated polling places, there was some confusion during the process. For example, some residents of NW2 stated they were left out of the voting process because of a conflict with scheduling recreation. A tracking system would have prevented the confusion and ensured that all eligible people were given the opportunity to vote.

New recommendation: DOC should place educational materials about voting on the tablets.

The only information available on the tablets about voting on the day of voting was a one-page flyer announcing that there would be in-person voting in both CTF and CDF. Providing candidate information on the tablets would allow residents to access the information at any time, ensuring the ability to make informed decisions. The DOC could work in collaboration with other organizations for the creation of the materials, thus leaving only the task of uploading the materials on the tablets to the DOC. During the 2024 General Election, hard copy information about the ANC candidates was posted outside each polling place on the day of the election. The placement and timing did not allow residents adequate access to the information. Information about the voting process should remain permanently on the tablets; information about candidates should change for each election.

New recommendation: The Board should continue the very successful practice of employing incarcerated people as election officials.

The practice of employing incarcerated people as election officials has generated greater enthusiasm in the voting process while incarcerated and may heighten community engagement upon release.

The Federal Bureau of Prisons (BOP)

Follow-up on Recommendations regarding Voter Registration

Previous recommendation: The BOP should make an exception to the regulations that prevents them from providing more specific information regarding the whereabouts of DC residents.

Not implemented

The BOP has decided against making an exception for the Board. In lieu of providing up-to-date information about DC residents incarcerated by the BOP, the BOP assigned a national liaison to the Board who provided information regarding the number of people in each federal facility.

Previous recommendation: The BOP should treat voter registration forms as legal mail.

Not implemented

According to the BOP, ballots are considered legal mail, which are afforded an extra measure of accountability regarding delivery, but voter registration materials are not.¹¹ The BOP states the legal mail process is staff intensive and would unduly burden their staff.

Previous recommendation: The BOP should include information about voting rights and responsibilities in each Admission and Orientation Handbook.

Partially implemented

The BOP uploaded information about voting rights and responsibilities provided by the Board onto Corrlinks, an email system for incarcerated residents. However, each facility is responsible for updating its Admission and Orientation Handbook. A check of current handbooks available on the BOP's website indicated that not all individual institution handbooks contain up to date information about voter registration and voting.

New Recommendation regarding Voter Registration

New recommendation: Allow the Board to fully access DC residents via Corrlinks without any limitations to the number of persons.

The BOP instituted a ten-person limit on mass emails in the Corrlinks system, citing a need to eliminate terrorist and other organizational recruiting. While it is still possible to correspond with those in the BOP en masse, it unnecessarily burdens the Board as it requires the sender to repeat the process dozens of times. The BOP should grant an exception to the Board regarding this new limitation.

¹¹ [BOP Voting handout \(justice.gov\)](https://www.justice.gov/bop/bop-voting-handout) “Incoming mail from election officials labeled “Official Election Mail,” “Official Election Ballot,” “Ballot Enclosed,” or with similar language indicating that the envelope contains an election ballot, will be treated as legal mail, meaning that it will be opened in your presence and you will be asked to sign for receipt of the mail. Incoming ballots are the only election-related material that will be treated as legal mail. Other types of informational mail are considered general correspondence. All outgoing inmate mail addressed to election officials will be treated as legal mail and will not be opened or inspected by BOP staff.”

Follow-up Recommendations regarding Voting

Previous recommendation: Both incoming and outgoing ballots should be consistently treated as legal mail throughout the BOP.

Partially implemented

The BOP leadership provided reminders to institution staff that ballots are considered legal mail; however, email correspondence with DC residents in the BOP reported instances where ballots were delivered as general correspondence. Reported instances were less than those for the 2022 elections, but that is not necessarily an indication of fewer actual instances. Note, no emails or other correspondence were received to indicate that completed ballots (outgoing mail) were treated as general correspondence. The BOP treats ballot curing correspondence as legal mail. Ballot curing is a time sensitive process to resolve issues with an unacceptable ballot, such as a ballot without a signature.

Previous recommendation: The Board should be able to use reliable information obtained from the BOP to update the address information of incarcerated voters.

Partially implemented

The BOP will not provide a roster of individuals to the Board. However, the Board now has a list of people who registered while residing in the BOP. Additionally, the Board uses a list provided by the DOC that indicates people transferring from DOC custody to the BOP, as well as public records, such as the BOP Inmate Locator. The Board has worked creatively to access alternative and supplemental sources of information that could be provided by the BOP.

New Recommendation regarding Voting

New recommendation: The BOP should continue to designate a point of contact to interact with the Board.

Executive Order 14019, Promoting Access to Voting (March 7, 2021), was rescinded on January 20, 2025. Prior to its rescission, the BOP's implementation of the Order was noteworthy. They included the designation of a point of contact to resolve a wide variety of issues, whose efforts improved operations with each election. It is recommended that the BOP continue with the use of the point of contact. While the Executive Order has been rescinded, incarcerated DC residents can still legally vote, and the point of contact provides an avenue for the Board to quickly resolve issues where an incarcerated resident alone would have little recourse. A central point of contact provides more consistent operations, while also avoiding the need to maintain approximately 90 separate liaisons at the institutional level.

Conclusion

The DOC is to be commended for its efforts in partnering with the BOE to provide residents a voting experience that closely mirrors those that are not incarcerated. However, the intent is not only to ensure residents have an opportunity to vote, but also to provide registration opportunities for all in its custody. Providing more consistent registration opportunities throughout the year is needed. Since the DOC residents often do not stay for an appreciable length of time, a more consistently applied approach to registrations may not increase the number of votes, but it will increase registrants for the District of Columbia overall, regardless of their incarceration status during elections. It will also increase the number of registrants in the custody of the BOP since many are transferred there for the service of their sentence.

The efforts of the BOP's point of contact and institutional staff are also laudable. A more consistent implementation of the systems already in place should improve outcomes. For example, ensuring all institutional orientation handbooks contain the necessary educational material, and a consistently applied use of legal mail to ensure the proper delivery of ballots.