



Jail-based Voting in NYC

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Committee and Corrections Committee

Established in 1986, The Sentencing Project works for a fair and effective U.S. criminal justice system by promoting reforms in sentencing policy and addressing unjust racial disparities and practices. For more than a decade, we have produced research on disenfranchisement due to a felony conviction and advocated for rights restoration and the expansion of facility-based voting for eligible voters behind bars.

We are thankful for this opportunity to submit testimony on jail-based voting in New York City. We thank Chair Brooks-Powers and Chair Brewer for their attention and leadership on this issue. We are further grateful to our partners who continue to advocate for strengthening democracy by expanding ballot access to all eligible voters, including those who are in New York City jails.

The Sentencing Project urges the New York City Council to support the Democracy During Detention Act, NY State Senate Bill 2025-S440¹, to ensure that all eligible New Yorkers held in local or state jails are able to register and vote. We further encourage the Council to enact city legislation to ensure there is proper infrastructure for all eligible voters to cast a ballot at the New York City jail complex on Rikers Island and in new borough-based jails.

ENFRANCHISEMENT IS A DEMOCRATIC RIGHT AND A RACIAL JUSTICE ISSUE

For individuals in jail, if they are pre-trial, not yet sentenced for a felony conviction, or serving a sentence for a misdemeanor offense, they are eligible to vote. Nationwide, around 657,500 people are incarcerated in jails and 69% of those individuals are not yet convicted of a crime.² This means they retain their voting rights. Yet, research finds that when community members spend time in jail, voter participation declines. Both in New York and nationally, this disproportionately affects people of color and those with less financial resources.

In New York City, 84% of the more than 6,600 people incarcerated at Rikers are detained pre-trial.³ Most New Yorkers in jails should therefore be able to vote. Strikingly, 93% of people in detention at Rikers are people of color.⁴ Due to the disproportionate incarceration rates of Black and Latino New Yorkers,⁵ voting from jail is a pressing racial

¹ S. 440, New York State Senate, 2025-2026 Reg. Sess. (N.Y. 2025).

<https://www.nysenate.gov/legislation/bills/2025/S440>

² Zeng, Z. (2025). Jails report series: 2024 preliminary data release. Bureau of Justice Statistics.

³ Data Collaborative for Justice. (n.d.). [New York City jail population tracker](#). Retrieved April 5, 2026.

⁴ Data Collaborative for Justice. (n.d.). New York City jail population tracker. Retrieved April 5, 2026, from <https://nyc-jail-population-tracker.datacollaborativeforjustice.org/>

⁵ Napal, D., & Budd, K. M. (2025). [New York should restore voting rights to over 33,000 citizens](#). The Sentencing Project.

justice issue. Jail should not lock Black and Latino New Yorkers out of the democratic process.

Voting from jail is also an economic justice issue. According to the The United States Commission on Civil Rights, “more than 60% of inmates are detained prior to trial due to an inability to afford posting bail.”⁶ A poverty penalty results in lack of access to one’s voting rights. As researcher Ariel White has found, “pretrial incarceration reduces voting, especially among people who are Black and/or low-income.”⁷

JAIL-BASED VOTING PROGRAMS ARE SUCCESSFUL

There are models of voter engagement throughout the country that have increased voter participation among people held in local jails. In some places, robust jail-based voting programs, including the development of polling locations inside the jail, have resulted in higher voter participation amongst eligible voters in the jail than in the broader community.

- In Chicago, the Cook County Jail established its first jail-based polling location in 2020. Before polling stations were established in jail, voter turnout was less than 7% by absentee ballot. By contrast, during an election in 2023, voter participation increased to over 50% of eligible voters — the highest rate of participation of any polling location in Chicago.⁸
- In Colorado, in 2024, at least 2,332 people voted from jails across Colorado, representing approximately 25% of the jail population. This was an increase from 380 people voting in 2020, around 4%.⁹ This expansion in voting access followed the passage of SB 24 in 2024, which requires in person voting in county jails and for county clerks and recorders to coordinate with sheriffs to facilitate voting for eligible incarcerated people.¹⁰

⁶ Wang, T. (2024). [Jail Based Voting in Washington, DC](#). Ash Center at Harvard University.

⁷ White, A. (2022). Political participation amid mass incarceration. *Annual Review of Political Science*, 25.

⁸ Sheridan, J. (2023, April 3). [As city’s most active voting precinct, Cook County inmates vote with help from jail and advocates](#). *Chicago Tribune*.

⁹ Burness, A. (2025, March 4). [Jail voting soars in Colorado after state mandates polling places in county lockups](#). *Bolts*. Office of Research & Statistics. (n.d.). *Jails & corrections - jail data population*. Colorado Division of Criminal Justice. Retrieved January 7th, 2026, from <https://dcj.colorado.gov/dcj-offices/ors/dashb-jcs-jailpop#>.

¹⁰ Voting for Confined Eligible Electors, S.B. 24-072, 74th Gen. Assem., 2nd Reg. Sess. (Colo. 2024). <https://leg.colorado.gov/bills/sb24-072>

- In Denver County, Colorado, during the November 2023 coordinated election, turnout rate for Denver County Jail and Denver Detention Center was 43%, compared to 37% of all registered eligible voters state-wide.¹¹
- In Washington DC, advocates and officials undertook a decades-long effort to expand voting rights for incarcerated people.¹² They can now vote in person in the jail or vote by mail. During the November 2024 general election, 83% of the jail-based registrants cast their vote. By comparison, 71% of community-based registrants cast their vote.¹³

Jail-based voting programs have also taken hold in communities in California, Nevada, and Texas among other states around the country. As the Prison Policy Initiative puts it, “Jail-based voting locations are not only feasible; they’re effective: when people know they can vote from jail, they will vote.”¹⁴

VOTING MATTERS FOR BETTER PUBLIC SAFETY OUTCOMES

Encouraging voting amongst justice-impacted people has a positive relationship to improved public safety. Retaining one’s voting rights regardless of involvement in the criminal legal system can be viewed as a public safety strategy.

Research supports the link between justice-impacted individuals having the right to vote and voting to reduce recidivism. Research in Minnesota demonstrated that those with a criminal history were significantly less likely to be re-arrested if they voted in a presidential election. Furthermore, research shows that voting helps keep justice-impacted citizens connected to their communities and bolsters their civic identity.¹⁵

¹¹ Wang, T. (2024). [Jail-based voting in Denver: A case study](#). Ash Center for Democratic Governance and Innovation, Harvard Kennedy School.

¹² Wang, T. (2024). [Jail-based voting in the District of Columbia: A case study](#). Ash Center for Democratic Governance and Innovation, Harvard Kennedy School.

¹³ DC Corrections Information Council (CIC) & DC Board of Elections (BOE). (2025). [Thematic report: Implementation of recommendations regarding Restore the Vote Amendment Act 2020 as of 2024 general election](#). DC CIC & DC BOE; DC BOE. (2024, December 2). [General election 2024 - certified results](#). DC BOE.; 2024 General Election for the DC jail only: 655 registered voters. Of those, 544 people voted.

¹⁴ Awan, N. (2022, October 25). [Jail-based polling locations: A way to fight voter disenfranchisement](#). Prison Policy Initiative.

¹⁵ Budd, K. & Monazzam, N. (2023, April). [Increasing Public Safety by Restoring Voting Rights](#), The Sentencing Project.

The Sentencing Project applauds New York City for taking up the issue of voting at Rikers. We encourage city leaders to expand access to the vote for eligible incarcerated voters at Rikers and any new city detention facilities and to encourage statewide passage of the Democracy During Detention Act.

A handwritten signature in black ink that reads "Bob Libal". The signature is written in a cursive, slightly slanted style.

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