



PRISONERS' LEGAL SERVICES
OF MASSACHUSETTS



FOR IMMEDIATE RELEASE: October 7, 2020

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**Statewide Coalition Applauds Swift Action from Secretary of Commonwealth on
Protecting Ballot Access for Incarcerated Citizens**

BOSTON - The Election Protection Behind Bars Coalition, a statewide coalition of organizations working to protect and promote ballot access for eligible incarcerated voters, commended Secretary of the Commonwealth Bill Galvin today for issuing guidance to elections officials on ballot access for incarcerated voters. Elections officials received the newly-crafted guidance Tuesday evening.

In a letter sent to the Secretary last week - copied below - the coalition urged him to do exactly that. They explained that without any communication from the Secretary to local election officials, many local elections officials do not know who is and is not eligible to vote and regularly reject absentee ballot applications from incarcerated citizens, often without time for those would-be voters to re-apply.

This, the coalition wrote, is just one reason eligible incarcerated citizens face “what is known as ‘*de facto* disenfranchisement,’ where, although the law says these citizens can vote, functional barriers make it difficult or impossible.”

The coalition applauds the Secretary’s quick action, especially in the midst of navigating an election that may be the most challenging in our history. His guidance provides clarity to both elections officials, advocates, and incarcerated eligible voters themselves, affirming that incarcerated eligible voters are both eligible to vote and specially qualified, which means they

are not required to be registered in order to vote. The Election Protection Behind Bars Coalition reports from our experience that many election officials do not know who is and is not eligible, and were skeptical of ballot requests from incarcerated voters. New absentee ballot applications are being issued that will include a box where a citizen can indicate that they are an incarcerated eligible voter.

“This is a huge step forward for protecting access to the ballot for citizens of our state who are held by the state, and maintain their right to vote on paper,” said **Kristina Mensik, Assistant Director of Common Cause Massachusetts**. “We thank the Secretary, and hope to have his support both as we work to ensure that Sheriffs provide meaningful access to absentee ballot applications this fall, and down the line as we work to implement stronger reforms, whether taking after Colorado and requiring coordination between clerks and county sheriff’s office or something tailored to the unique needs of our state.”

While Galvin’s guidelines are a critical step for ensuring absentee ballot applications are not rejected, there is much more work to be done in the Commonwealth to ensure that incarcerated citizens in our state are not stripped of their right to vote in practice when it is maintained on paper. The burden of accessing materials and information necessary to vote still falls on individual citizens, even while in state custody, and we have seen enough elections come and go to know that this in effect means incarcerated voters are denied their right to vote.

“We look forward to working with the Secretary’s office to strengthen ballot access going forward,” said **elly kalfus, coordinator with the Emancipation Initiative**. “This direct communication with election clerks is a huge step in ensuring that every eligible voter can actually participate in holding our government accountable, though further clarification is still needed pertaining to people incarcerated without a prior Massachusetts address, such as homeless people.”

"Healing Our Land Inc. appreciates the swift response from the secretary of state, as an organization that has boots on the ground within the house of correction via Suffolk County House of Correction at South Bay,” said **Pastor Franklin Hobbs, Executive Director of Healing Our Land, Inc.** “This a step towards our ultimate goal of having those specially qualified incarcerated individuals to be able to exercise this right in their respective institutions."

"We appreciate that the Secretary of State took swift action to help ensure that incarcerated people who are eligible to vote can exercise their rights." said **Lizz Matos, Executive Director of Prisoners' Legal Services**. "We look forward to continuing to work with his office as we fight to make sure that access to the ballot inside prison walls is universal and guaranteed."

"Secretary Galvin deserves praise for his swift response to our request, and for providing clear guidance to clerks and prison officials on the issue of voting rights," said **Rahsaan Hall, director of the Racial Justice Program at the ACLU of Massachusetts**. "All eligible voters—incarcerated or not—should be able to cast their ballots safely and conveniently. We look forward to working with the secretary to ensure this guidance is heeded."

The guidance is available on the SOC's website: <https://www.sec.state.ma.us/ele/elepdf/Election-Advisory-20-06-Voting-While-Incarcerated.pdf>

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The Election Protection Behind Bars is coordinated by the Emancipation Initiative, Common Cause Massachusetts, the ACLU of Massachusetts, Prisoners Legal Services, and Healing Our Lands. Member organizations include the Real Cost of Prisons Project, Decarcerate Western Massachusetts, Black & Pink Boston, MOCHA, Bristol County for Correctional Justice, The Sentencing Project, and more.

Read the Coalition Letter [here](#).

Read this press release online [here](#).