



JOHN W. HICKENLOOPER
MAYOR

CITY AND COUNTY OF DENVER

DEPARTMENT OF SAFETY

DENVER SHERIFF DEPARTMENT
DENVER COUNTY JAIL
P.O. BOX 1108
DENVER, COLORADO 80201

March 29, 2010

Re: Voting in the General Election from the Denver County Jail

To Whom It May Concern,

During the national election in the Fall of 2008, the Operations Staff at the Denver County Jail worked to facilitate the inmates' right to vote. Please see attached flowcharts that inform both inmates and staff about the steps they need to take to accomplish voting.

Note particularly Step #2 that explains to the inmate the eligibility requirements. Out of a population of about 2,000, only 150 inmates sent "kites" requesting to participate in the process. Of that number, 31 did not meet the qualifications for various reasons, such as being a convicted felon, not being a citizen or being on Parole. When I received the kites, it was not time consuming at all to check the inmate's eligibility and either send a letter of denial or move the request along in the process.

Due to the requirement for privacy, the Operations Staff only provided the "Registration and Mail-in Ballot" to the approved inmates. The inmates completed and sealed the envelopes in private and Operations mailed the documents. When the Clerk and Recorder of the inmate's home county returned the ballot, Operations obtained a copy of the inmate's photo identification, either from their property or from an outside source. After the paperwork was assembled, the inmate completed voting and the ballot was mailed back to the Clerk and Recorder free of charge. Operations Staff kept an Excel spreadsheet on the progress of every inmate.

Other jail staff members received a copy of the flowchart that was posted in all inmate housing areas and they also received a copy of the flowchart showing the Operations Staff exactly how to proceed. Between Operations and the Program Coordinator, Mr. Dwayne Burriss, voting at our facility was easily accomplished. We also shared our procedures with the Denver City Jail because they house about 25 sentenced misdemeanants. The Operations Staff there reported that they had no trouble managing the vote at their facility.

Please keep in mind that with an inmate population of about 2,000, their requests to participate were minimal, as was the effort on our part to effect their participation.

Major Victoria Connors
Denver County Jail - Operations
720.913.3714 Office
303.435.1114 Cell

VOTING FROM DENVER COUNTY JAIL AND THE PADF

1. An inmate reads the brochure CAN I VOTE FROM JAIL? and determines his/her eligibility to vote. S/he sends a kite to the Operations Major.

2. The Operations Major confirms the inmate's eligibility to vote. An inmate is eligible to vote if s/he is not convicted of serving a sentence for a felony, is a pretrial detainee, and/or is not currently on parole. If the inmate is eligible to vote, the Operations Major attaches a letter of eligibility to the inmate's kite.

3. The kite and letter of eligibility are forwarded to the library. The inmate is called to the library to fill out the

Colorado—Combination Voter

Registration and Mail-in Ballot

- Application.*
- If the inmate has a photocopy of an acceptable identification document, s/he should bring it to the library to enclose with the application.
 - The inmate should address the envelope to the office of the Clerk and Recorder in the county of his/her legal residence. The addresses for these offices are on the back of the application.
 - The library officer or PADF Operations will provide black pens, applications in English and Spanish, and envelopes.

4. The library officer takes the completed application in the sealed envelope to the mail room, and it is mailed free of charge to the inmate.

5. The office of the Clerk and Recorder in the county of the inmate's legal residence receives and processes the application.

IMPORTANT DATES

October 6th
Last day to register to vote for the general election

October 28th
Last day to apply for a mail-in ballot for the general election if it's to be mailed

November 4th
General election!

6. The jail receives the inmate's mail-in ballot from the Clerk and Recorder and forwards it to the library. Staff will call the inmate to the library to vote. **If the Clerk and Recorder enclosed a letter notifying the inmate that s/he needs to include a photocopy of an acceptable identification document with the ballot, the inmate MUST follow step 7a or 7b for the ballot to be counted.** If no letter requesting ID is enclosed, then follow step 7c.

7a. If the mail-in ballot requires a copy of ID and *if* the inmate has a valid ID in his/her property, the inmate must send a kite to Mr. Burris (or PADF Operations), who will request a copy of the ID from Property. Property will then forward the copy to the inmate. The library will hold the ballot until the inmate can include the

7b. If the mail-in ballot requires a copy of ID and *if* the inmate does *not* have a valid ID in his/her property, the inmate needs to obtain a copy of a valid ID through a contact on the outside. The library will hold the ballot until the inmate can include a photocopy of the valid ID with the ballot. Once the inmate has a copy of a valid ID, the inmate may proceed with voting.

7c. If the inmate does not need to send a copy of an identification document, the inmate is ready to vote.

Voting from Jail

8 Suggested Steps for Staff

1. The inmate determines if s/he is eligible to vote from jail.

2. The inmate sends a kite requesting a *Colorado—Combination Voter Registration and Mail-in Ballot Application*.

3. Jail Operations personnel verify the voting eligibility of the inmate. If the inmate is a pretrial detainee, as per statute, the jail needs to certify the eligibility of the elector.

- "...the confined prisoner who is awaiting trial but has not been tried shall be certified by the institutional administrator and shall be permitted to register to vote by mail registration pursuant to part 5 of this article." Colorado Revised Statutes § 1-2-103(4)

4. The statute does not direct jail staff to certify eligibility for sentenced misdemeanants, but jail staff may want to verify that anyone who requests an absentee ballot is either a pretrial detainee or sentenced misdemeanant and is not currently convicted of a felony or on parole.

5a. IF THE INMATE IS ALREADY

REGISTERED TO VOTE, s/he may use the *Colorado—Combination Voter Registration and Mail-in Ballot Application* to update his/her mailing address and request a mail-in ballot.

- It's possible that when the office of the Clerk and Recorder mails the ballot to the inmate the clerk will ask for a copy of an acceptable identification document if the office does not have a copy on file.
- The brochure **CAN I VOTE FROM JAIL?** lists acceptable forms of identification.
- If the inmate needs to provide a photocopy of a valid form of identification, s/he may be able to obtain this from a family member or friend on the outside. If the inmate has an acceptable form of identification in his/her property, it may be possible for jail personnel to make a photocopy for the inmate by sending a kite to Operations.

5b. IF THE INMATE IS NOT REGISTERED TO VOTE, s/he may also use the *Colorado—Combination Voter Registration and Mail-in Ballot Application* to register and to request a mail-in ballot.

- The inmate will need to provide a photocopy of an acceptable identification document along with either the application or the ballot after s/he receives it from the office of the Clerk and Recorder.
- The inmate may be able to obtain a photocopy of an acceptable identification document from a family member or friend on the outside.
- If the inmate has an acceptable form of identification, such as a driver's license, in his/her property, it may be possible for jail personnel to make a photocopy for the inmate by sending a kite to Operations.

6. The inmate will be called to the library to fill out the *Colorado—Combination Voter Registration and Mail-in Ballot Application*. After filling out the application, the inmate will need to seal the envelope and address it to his/her county's office of the Clerk and Recorder. (A list of the offices of the Clerk and Recorder is on the back of the application.) The inmate may enclose any necessary photocopy of his/her identification document with the application *or* when s/he mails the ballot.

8. The county's office of the Clerk and Recorder will send the inmate a mail-in ballot. Jail staff calls the inmate to the library where the inmate personally opens the envelope, completes the ballot, and seals it in the return envelope.

- If the office of the Clerk and Recorder requests a photocopy of an identification document with the ballot, the photocopy **MUST** be included with the ballot if it is to be counted.
- Library officers will provide a black pen. Once the inmate completes the ballot and seals it in the envelope, the library officer will take it to the mail room where it will be mailed free of charge.

7. A library staff person will deliver the sealed