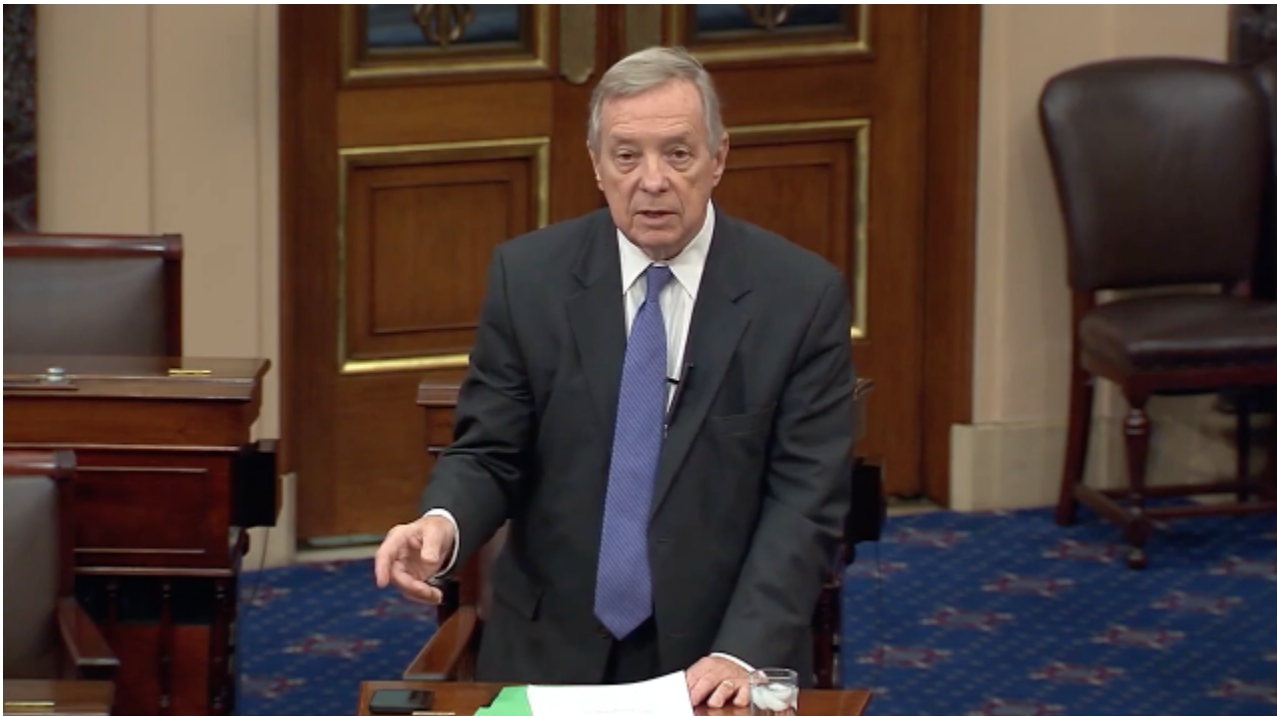


Durbin Leads Group Of Senate Democrats Pressing Justice Department And Bureau Of Prisons On Voting Access For Incarcerated People

by Josh Sorbe

March 28 2024 10:41 AM



CHICAGO – U.S. Senate Majority Whip Dick Durbin (D-IL), Chair of the Senate Judiciary Committee, led a group of eleven Senate Democrats in a letter to Attorney General Merrick Garland and Bureau of Prisons (BOP) Director Colette Peters requesting more information on their efforts to promote voting access for incarcerated people in federal prisons.

In addition to Durbin, the letter is signed by Senators Jeff Merkley (D-OR), Peter Welch (D-VT), Sheldon Whitehouse (D-RI), Laphonza Butler (D-CA), Chris Coons (D-DE), Bernie Sanders (I-VT), Raphael Warnock (D-GA), Ron Wyden (D-OR), Cory Booker (D-NJ), and Elizabeth Warren (D-MA).

Citing an executive order from President Biden, the Senators begin by recognizing the strides made by the Department of Justice (DOJ) and BOP, writing: “In the three years since President Biden issued an Executive Order on ‘Promoting Access to Voting’ (Executive Order 14019), BOP has made progress toward fulfilling the Justice Department’s commitment to promoting voting access ... In response to this directive, BOP has initiated a number of policy changes, such as providing informational handouts, to ensure that individuals in custody understand their eligibility to vote and ability to access the process for casting a ballot. Hundreds of individuals inside federal prisons have successfully registered and voted in recent elections.”

Then, the Senators outline additional opportunities for reform. They begin with more information sharing between BOP and local election officials, writing: “Under current policies, BOP does not share important voter information with local election officials, and it can be difficult to know whether voter registration materials and ballots successfully reach incarcerated voters. Additional efforts and coordination are therefore required to ensure that individuals properly receive election information and submit election materials in a timely manner. BOP might consider pursuing an exception to the regulations prohibiting information sharing for election agencies, such as a *Routine Use Exception to the Privacy Act*.”

Then, the Senators suggest reclassifying mail from election agencies and supporting incarcerated persons with disabilities, writing: “Although BOP has adopted a practice of treating some incoming mail from election officials and all outgoing mail addressed to election officials as ‘legal mail’ or ‘special mail,’ this practice is not always followed. I encourage BOP to consider comprehensively adding election agencies to the list of offices for which all correspondence is considered ‘special mail.’ I would also encourage BOP to build on existing work to support voters with disabilities and to provide incarcerated voters with important information on candidates and ballot initiatives.”

The Senators then conclude with a series of information requests to be answered no later than April 12, 2024.

Full text of the letter is available [here](#).

Durbin and Senate Democrats remain committed to protecting voting rights in America. Earlier this month, Durbin and the Senate Judiciary Committee [held](#) a hearing entitled

“The Right Side of History: Protecting Voting Rights in America,” featuring testimony from U.S. Senator Raphael Warnock (D-GA), voting rights advocates, and litigators.

Additionally, Senate Democrats [reintroduced](#) the *John R. Lewis Voting Rights Advancement Act*, which would update and restore critical safeguards of the original *Voting Rights Act*.