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June 23, 2021

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Report: Eligible Wisconsin Voters in Jail Still Face Unnecessary Hurdles to the Ballot

MILWAUKEE — All Voting is Local, the League of Women Voters of Wisconsin, and the ACLU of Wisconsin today released [*Ballots for All: Ensuring Eligible Wisconsinites in Jail Have Equal Access to Voting*](#) — an update to the July 2020 report, [*Ballots for All: Ensuring Eligible Wisconsin Voters in Jail Have Equal Access to Voting*](#). The new report found that many jail administrators have taken small, but important, steps to increase ballot access for individuals in their care. However, troubling voting barriers persist for the approximately 13,000 people incarcerated in Wisconsin’s jails at any given time.

In 2021, 70 percent of the 55 counties that responded to our records requests indicated having policies in place compared to 47.5 percent of the 61 counties that responded in 2020. Yet, those policies did not necessarily translate to voters being able to cast a ballot that counts. Statewide, only 60 people registered from jail and 50 people voted from jail in the 2020 elections.

“For democracy to work for us all, it must include us all — including people who are incarcerated,” said Shauntay Nelson, All Voting is Local’s Wisconsin state director. “Residents of local jails are still taxed and used to allocate resources, therefore they should have the freedom to have their voices heard through a ballot. The fact that it will take a bit of extra work is not an excuse to silence them.”

According to Wisconsin state law, most people incarcerated in the state do not become ineligible to vote unless they have been convicted of a felony. Of the approximately 13,000 people incarcerated in Wisconsin, at least half are eligible to vote.

"Voting is a pivotal part of our democracy and too often, people in jail have been ignored and denied their constitutional right to vote, despite being eligible to cast their ballots," said David Carlson, Smart Justice Regional organizer, ACLU of Wisconsin. "While we are encouraged by the progress being made in Wisconsin jails to ensure the right of incarcerated individuals to vote is protected, more work must be done to ensure that jail voting is a standard practice, not a rare exception."

The report makes substantial recommendations outlining steps jails can take to more sufficiently address the many barriers to the ballot for eligible Wisconsinites in county jails; outlines what legislation Wisconsin's Legislature can pass to extend voting infrastructure to serve voters in jail, and finally; provide guidance on what Wisconsin Elections Commission can provide to jail administrators and elections officials on how they can support jail-based voting.

"Collectively, we need to raise our awareness to the predicament of eligible voters who are in jail serving a misdemeanor sentence or awaiting trial facing significant barriers to exercising their right to vote," said Eileen Newcomer, Voter Education manager, League of Women Voters of Wisconsin. "We hope this report will lead to much needed conversations and action so de facto disenfranchisement of eligible voters is not allowed to continue."

All Voting is Local, the League of Women Voters of Wisconsin, and the ACLU of Wisconsin will host a virtual event for the public to discuss the report's findings at Noon CT/1 p.m. ET, Wednesday, July 13 — sign up [here](#).

Read the full report [here](#) and find the recording of today's press briefing [here](#).

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All Voting is Local fights to eliminate needless and discriminatory barriers to voting before they happen, to build a democracy that works for us all. It is a campaign housed at The Leadership Conference Education Fund and The Leadership Conference on Civil and Human Rights. For more information about All Voting is Local, visit <https://allvotingislocal.org> and follow us on Twitter @votingislocal.

The ACLU of Wisconsin is a non-profit, non-partisan, private organization whose 16,000 members support its efforts to defend the civil rights and liberties of all Wisconsin residents. For more on the ACLU of Wisconsin, visit our [About Us](#) page of this website, like us on [Facebook](#) or follow us on [Twitter](#) and [Instagram](#).

The League of Women Voters of Wisconsin is a nonpartisan political organization that advocates for informed and active participation in government. There are 20 local Leagues throughout Wisconsin. More information at lwwvi.org.