

# JUSTICE

# otes

# NEW YORK

## Motivations and Barriers to Justice-Impacted Voting



College &  
Community  
Fellowship

**FICPFM** Formerly Incarcerated,  
Convicted People &  
Families Movement



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# Executive Summary

The United States is at a critical juncture for our democracy. While there are widespread efforts to suppress votes there is also a surge of laws and executive orders restoring the right to vote for those impacted by the criminal legal system. Nearly 19 million people have a felony conviction, and close to 100 million people are estimated to have a misdemeanor or felony criminal conviction [1]. Felony disenfranchisement was born out of the desire to systematically oppress Black individuals, not unlike mass incarceration. However, we have made great strides in rectifying this wrong. While we are nowhere near full rights restoration, as of 2020 the last state - Iowa - with permanent felony disenfranchisement changed its law [2]. In the past few years, thousands more can legally exercise their right to vote due to changes throughout multiple states. In fact, 2021 McArthur Fellow, Desmond Meade, has been credited with organizing a campaign that led to the largest expansion of voting rights in fifty years [3]. More than 1.4 million Floridians with felony convictions regained their rights. The campaign, led largely by system targeted people, is an indicator that this is a population that could swing elections if they maximize their actual participation in elections. Yet even when legal barriers are broken down, very few justice-impacted individuals exercise the right to vote. Justice Votes NY set out to explore why and how we might mobilize justice-impacted persons to the polls. Building on the little research that exists, we wanted to test a program model to encourage and support voting among justice impacted persons and gauge whether individuals were choosing not to vote or were encountering indirect barriers to voting.


## *Understanding Motivations Around Voting for Justice-Impacted Individuals*

In July 2020, College & Community Fellowship (CCF), with the Formerly Incarcerated Convicted People and Families Movement (FICPFM) set up a small pilot program to provide a curriculum that explained the historical roots of disenfranchisement, voter suppression, how to register, deadlines, how to vote, and how to research candidates. Using a peer-to-peer based training model, CCF recruited and trained justice-impacted people in the curriculum (known as specialists). These specialists were asked to recruit and train justice-impacted individuals who were eligible to vote but had not registered by the October 9th New York registration deadline (known as students).

Below are the roles performed by participants in the program.

Title	Role	Qualifications
Specialists	Teach the curriculum drafted by CCF to a cohort of students.	<ul style="list-style-type: none"> <li>Justice-impacted</li> <li>Able to recruit students</li> </ul>
Students	Receive the curriculum from a specialist.	<ul style="list-style-type: none"> <li>Justice-impacted</li> <li>Eligible to vote</li> <li>Not registered</li> <li>NYC- based</li> </ul>

We were able to survey 81 justice-impacted persons who participated in the program in one or more of the program roles described above.



## KEY FACT

While the generalizability from surveys is limited because program enrollment could not ensure participants were representative of the overall justice-impacted community in New York, the number of participants is larger than the number referenced in other project studies.

## Findings

### *Why Individuals Did Not Vote*

- People explained that they had not voted in the past based on a sense of worthlessness derived from the dehumanization of the carceral system. Many were apathetic or had negative views of politics and politicians in general.

### *Why Individuals Votes and What Would Drive Their Peers to Vote*

- Feelings of empowerment were the strongest themes driving people to vote and a sense that exercising their right to vote could create change.
- Many identified what they described as the unjust nature of the justice system encouraging them to vote, as well as a sense of responsibility to their ancestors that had fought for their right to vote, and those imprisoned who could not exercise the right to vote.
- Across the board, people identified that their justice-impacted peers would vote if provided with education on the procedure of voting, given information to uplift confidence in the voting booth, and a sense that they understood politics.

### *Passive Voter Suppression*

While many are familiar with “active voter suppression,” such as poll taxes and intimidation, passive voter suppression is extremely prevalent among this population. The lack of direct outreach described below is a type of neglect by campaigns and the government. Continued passive voter suppression creates a negative feedback loop as the lack of exposure to politics



continues a sense of disillusionment, keeping people from voting. Voting records are publicly available. If communities do not vote, campaigns are less likely to reach out to them.

- 61% of participants had never had any candidate visit their community, and 61% had never received any communication of any kind from a campaign.
- 60% of participants had never received any voting-related education, and 75% had never learned how to research a candidate.

## Justice Votes NY - What Worked

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- At least 68% of the participants in the program applied the information they received and voted in the 2020 election.
- 60% of students (9/15) did not know until their interactions with CCF that they were in fact eligible to vote.
- When asked if the course was necessary in order to get people to vote, 95% (19/20) of students responded affirmatively.

## Program and Policy Recommendations

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- There was overwhelming support for the peer-led education-based model that did not merely encourage people to vote but familiarized people with voting and registration on a procedural and substantive level, demonstrating what was at stake and how ultimately their vote mattered. The perceived injustice faced in the criminal legal system that leads to government disillusionment and that has stopped people from voting, ultimately became a motivator for justice-impacted people to vote. This shows how framing the need to vote by a peer can make a difference. This is where if parole or probation officers are communicating that an individual is now eligible to vote, a peer must be integrated into the process in a manner that is feasible with the infrastructure of that jurisdiction. To quote a participant, "I was taught everything. That motivated me. It woke something up in me and I took off. It woke up so many things in me."
- Future studies and organizations that wish to replicate the program should expand the timeframe beyond a few months to plan the project, establish meaningful partnerships with community-based partners from which to recruit, recruit eligible participants, implement the training, and support people who are in the reentry process by incorporating this into other needed services. With a large sample size of students, a larger institution could test the most effective messaging and create a low-cost model that would then encourage campaigns, the ones largely responsible for get-out-the-vote drives, to engage justice-impacted populations.

- For those looking to get-out-the-vote, instead of operating with a focus on autonomy, create a space where people can collaborate on a voting day plan as many people voiced that having others support would assuage their fears. Encourage students to then become specialists and administer the curriculum to have a sustained program model.
- Local electeds need to increase visibility in communities with high rates of incarceration. Government, community-based organizations, and others need to clearly articulate who is eligible to vote, work in partnership with credible messengers, and create safe spaces where people can express fears around voting. This will encourage justice-impacted people to speak and share with others why it is important and necessary to vote. This will help to combat passive voter suppression.
- Given respondents' self-reported gains in self-worth and confidence from participation in the electoral process, as well as increased societal focus on voting rights and engagement, both public and private funders of services aimed at justice-impacted persons should include civic engagement as a funding priority. Ideally, this would occur within reentry, probation, and alternatives to incarceration programming, where metrics on civic engagement could be captured.



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# Glossary

- CCF:** College & Community Fellowship
- FICPFM:** Formerly Incarcerated Convicted People and Families Movement
- Justice-impacted:** Any individual who has been incarcerated or detained in a prison, immigration detention center, jail, juvenile detention center, or other carceral settings, as well as those who have been arrested, convicted but not incarcerated, and charged but not convicted.
- Participants:** Justice-impacted individuals who completed a survey as part of the Justice Votes NY project. This includes specialists, students, and those who were surveyed but did not complete the curriculum.
- Specialists:** Justice-impacted individuals who taught the Justice Votes NY curriculum to a cohort of students. Specialists received a stipend for their participation and were responsible for recruiting students.
- Students:** Justice impacted individuals who received the voting curriculum from a specialist. Students had to be living in New York City, eligible to vote, but not yet registered, and received a stipend for their participation.



# Section I: Background

## Genesis of Justice Votes NY

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Justice Votes NY set out to pilot a program to encourage voter participation among eligible justice-impacted persons and better understand why there is low voter turnout among legally enfranchised justice-impacted individuals and how organizations, individuals, and government can motivate these individuals to the polls. Justice-impacted refers to any individual who has been incarcerated or detained in a prison, immigration detention center, jail, juvenile detention center, or other carceral settings, as well those who have been arrested, convicted but not incarcerated, and charged but not convicted. The organizations and individuals involved were largely justice-impacted themselves [4]. The project's goal was to improve voting outcomes among justice-impacted individuals.

*This project was driven by a belief that all persons with criminal legal involvement, including those currently incarcerated, should be able to exercise a right to vote, like any other American citizen.*

Educational content delivered conformed with current law on New York voter eligibility, registration, and voting practices.

This project was implemented by College & Community Fellowship (CCF) and powered by the Formerly Incarcerated Convicted People and Families Movement. (FICPFM). For over 20 years, CCF has increased access to higher education for students who experience roadblocks based on ties to the criminal legal system. The organization has grounded its work in racial, gender, and economic justice through partnerships in the academic, policy, government, and grassroots activism communities. All CCF participants have access to leadership development opportunities that promote long-term self-efficacy and civic engagement. Recent organizational accomplishments at the New York state level include a successful collaborative campaign to remove criminal conviction questions from the State University of New York (SUNY) application, also known as “banning the box” and the launch of the Bard Microcollege for Justice Community Leadership - the nation’s first tuition-free college

dedicated to advocacy, arts & sciences, in partnership with JustLeadershipUSA and Bard Prison Initiative. At the Federal Level, CCF was one of the co-architects of the Department of Education Second Chance Pell Initiative and the effort to successfully reinstate Pell grants for all incarcerated people to obtain access to education, after the 1994 Crime Bill ban, in December 2020. FICPFM is a network of over 50 civil and human rights organizations that are led by those with a criminal conviction and their family members. FICPFM is committed to transforming society by transforming the criminal legal system. They advocate legislatively, judicially, and through direct organizing in the communities where they live and serve. Working collaboratively and using multiple approaches, they have been deeply successful in securing alternatives to criminalization, restoring the rights of those previously criminalized by the system, and shifting the dominant narrative on to people with conviction histories and their loved ones [5].

In 2018 over 1,000 formerly incarcerated persons gathered in Florida and advocated to advance a constitutional amendment to automatically restore the rights of incarcerated people to vote [5]. It was there that the Quest for Democracy Fund (Q4D) was announced for individuals and organizations to continue the pursuit for human rights [6]. At the time, CCF was



thinking through the role the organization could play in promoting civic engagement and had begun discussing an education-based model consistent with its existing programming. In 2020 when the Q4D grants became available, FICPFM provided CCF with the opportunity to contribute to rights restoration across the nation. CCF sought to answer the question of what would mobilize justice-impacted people to the polls, based on historically low turnout, even among those with no legal impediment.

In this project, CCF implemented an education-based program and collected detailed surveys from a targeted group of justice-impacted individuals (n=81) that produced a program design and lessons learned such that FICPFM could replicate this study on a nationwide scale. The findings from our small sample, combined with existing studies in the field, provide for suggested program and policy recommendations. All help to advance FICPFM's goal - for those who have experienced the criminal legal system to transform society into one in which prisons do not exist [6].

## The Problem: Low Voter Turnout Among Justice-Impacted People

After years of impasse, the voting rights restoration movement for justice-impacted individuals is experiencing unprecedented success. In many states, felon disenfranchisement



regimes—laws that strip voting rights for individuals with criminal convictions—functioned to exclude a large number of people, often individuals of color, from the electorate. These laws were rooted frequently in the Jim Crow era and extremely difficult to reform [7]. Yet, in recent years, dominoes of state-level changes to restore voting rights have culminated in a sea of change.<sup>1</sup>The most dramatic of which occurred in Florida, where voters passed a historic ballot initiative giving voting rights back to over 1.6 million individuals with prior criminal convictions [8,9].

The erosion of legal barriers to voting, while worthy of celebration, has also laid bare the longstanding gap in our understanding of why justice-impacted individuals have low rates of political participation, even when they have the legal right to vote. The fact that justice-impacted individuals vote at low rates is well-documented [10,11,12]. The most popular cited statistic is that roughly

**10%** *of legally eligible justice-impacted people actually exercise their right to vote [13].*

However, the literature around why is in its infancy.

The overarching question centers on nature of the barriers and if low turnout is resolvable. The barriers can be an active decision-making process, structural issues based on conditions associated with justice-impacted status, or impediments by third parties that are not disenfranchisement but that nonetheless serve to exclude. The literature demonstrating that justice-impacted individuals actively choose not to vote focuses on disillusionment with government. The touchpoints with the criminal legal system, such as arrest and incarceration, are decidedly negative experiences that deter individuals from political participation [14]. This is bolstered by recent studies that show even a few days in jail can decrease the likelihood of voting [15].

Other studies have focused on the lack of “social capital” driving low rates of civic engagement, whether this contributed to an individual initially being incarcerated [16] or was undermined as a result of carceral status [17]. Social capital can be defined as the networks built over time that allow people to leverage interpersonal relationships [18]. These networks promote access to economic resources, cultural capital through contacts with experts, and institutional resources and opportunities [19]. Social capital is inextricably tied to civic engagement as all types of individuals are driven to politically participate on the basis of their connections.

The reentry process itself, given all that is involved in reintegration to society - from obtaining

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<sup>1</sup> For instance, in Virginia, the governor exercised his pardon power to restore voting rights to individuals exiting criminal justice supervision. See Secretary of Commonwealth Restoration of Rights, available at <https://www.restore.virginia.gov/>. Other states that have relaxed voting rights restoration requirements include Iowa, Nevada, and Washington. See Office of the Governor of Iowa, Voting Rights Restoration, available at <https://governor.iowa.gov/services/voting-rights-restoration>; Nevada Secretary of State, Restoration of Voting Rights in Nevada, available at <https://www.nvsos.gov/sos/elections/voters/restoration-of-voting-rights-in-nevada>; Secretary of State of Washington, Felons and Voting Rights, available at <https://www.sos.wa.gov/elections/voter-eligibility.aspx>

housing to a stable job - has been described as a challenge to political participation [20]. In one study, those who were currently incarcerated could more easily see themselves in idealized roles than those under community supervision, whose negative and overwhelming experiences made their goals much less aspirational when discussing civic engagement [20].

Most recently, some research has emerged that describes many justice-impacted people as unaware that they are eligible to vote due to the pervasive notion of felony disenfranchisement. This leads people to assume they are ineligible to vote if they have a felony conviction. Further, when voting rights are reinstated this is often not communicated [21]. There is variation among states to determine when in the criminal legal system they are excluded from voting and who, if anyone, is charged by statute with communicating that the person has regained the right to vote [22]. This has resulted in some limited government and community-based efforts to ensure people are notified about their voting rights status [23]. The primary messengers who convey eligibility and other information about voting are probation or parole officers and, to a smaller degree, election officials [24]. A 2014 study demonstrated that even minimal outreach regarding eligibility increased political involvement [21].

Our findings, which support the existing literature, build on this previous body of work, both adding nuance and providing needed recommendations within programs meant to increase voter turnout. Each of the three aforementioned most common theories in the small universe of literature on the subject has implications for how we would then choose to increase voting among justice-impacted individuals.

Based on a review of literature and statutes, it does not appear there has been a study of any type of outreach other than notification of eligibility.

*If we are to make a drastic impact on increasing democratic participation, we found people need a lot more information than merely that they were eligible to vote, though many of our participants were unaware of their eligibility status.*

Participants were apprehensive about voting and wanted more information about the process but also wanted to become an informed voter. The ideal means to get justice-impacted people to the polls involves peer-based education that demonstrates why an individual's vote matters, what is at stake, how to appropriately navigate the voting system, and how to make informed decisions that align with policies of interest. Building these programs and integrating them into the reentry process early will ease the burden and help build an individual's social capital and self-efficacy, thus improving reentry outcomes [25,26].

# Why Study Voter Turnout in New York

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CCF is based in New York (NY) but that is not the only reason it made sense to hold the study in this state. Part of the reason CCF has been contemplating civic engagement is that NY's wide-ranging eligibility laws made it an ideal place to explore justice-impacted voting motivations. Notably, most justice-impacted can vote and have been able to for some time. This allows other informal or non-legal barriers to voting to be assessed. The laws at the time of the project were still complex, and an executive order had been recently introduced that expanded eligibility, creating a question of whether people were aware that they were eligible to vote. Currently, in NY an individual cannot vote if they are currently incarcerated for a felony. The voting rights of people on probation or parole, after a felony conviction, are automatically restored, but individuals have to re-register to vote if they were registered prior



## KEY FACT

Since this study concluded, everyone on parole in New York can now vote.<sup>2</sup>

to their conviction, or register as new voters if they never previously registered [27]. While the justice-impacted never lose the right to vote in Maine and Vermont, New York is still among the best states nationwide in terms of felony enfranchisement<sup>2</sup>. Previously, and at the time of the project in the fall of 2020, all those on probation could vote, but New Yorkers who were on parole after incarceration for a felony could only have their voting right restored on a case-by-case basis via a conditional pardon pursuant to a 2018 Executive

Order [28]. This created a situation in which some on parole could vote and some could not, with many individuals reporting that their parole officer had not communicated the change to them [29].<sup>3</sup> As will be discussed, many had no idea that they were now able to vote under this order [30].

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<sup>2</sup> New York's laws have improved since the time of this project. On May 4, 2021, Governor Andrew Cuomo signed legislation that automatically restored the right of people on parole to vote in all elections. #

Brewster, A. (2021, May 5). Cuomo signs law to restore voting rights to parolees immediately after prison release. CBS News. <https://www.cbsnews.com/news/cuomo-new-york-voting-rights-parole/>

<sup>3</sup> The Order required the New York State Department of Corrections and Community Supervision (DOCCS) to submit a list of parolees to the Governor's Office for review. Each individual was then considered for a pardon to restore their voting rights. The Order restored voting rights to over 60,000 people on parole, but did not clearly delineate a responsible party for the dissemination of this information, with the assumption that it was parole officers.





# Section II: CCF Justice Votes NY

## Project Implementation

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In July 2020, CCF created its Justice Votes NY project to learn what would motivate justice-impacted people, who have regained or retained the right to vote, to use it. The project structure was to have peers educate justice-impacted people about their voting rights and then survey participants about their motivations and barriers to voting. Section IV provides information on lessons learned in the hopes that a larger organization with a longer time frame could replicate this project. The post-project surveys delivered robust information that formed the basis of this report and provided a wealth of information. The project structure—especially its peer-to-peer model and curriculum—serves an important role and will be detailed in this section. Survey participants reflected on the peer-to-peer model and the curriculum within the surveys.

At the outset, CCF sent out a call<sup>4</sup> for “voter education and engagement specialists” (subsequently referred to as specialists). Each specialist was responsible for recruiting participants and teaching the voter education curriculum to other justice-impacted people (subsequently referred to as students). There were specific criteria and stipends provided for each role. To become a specialist, the individual had to be justice-impacted and able to recruit ten students. To be a student, the person had to be eligible to vote and justice-impacted but not registered. Students also had to live in New York City because the curriculum involved laws, regulations and political positions specific to New York City. Both specialists and students received stipends for participation. All specialists and a sub-group of students were exposed to the curriculum before exercising their right to vote.<sup>5</sup>

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<sup>4</sup> Special thank you to the re-entry organizations, coalitions, and collaborations that assisted in recruitment: A Little Piece of Light, Brooklyn Defender Services, Center for Community Alternatives, Coalition of Women’s Prisons, Exodus Transitional Community, Fortune Society, The HOPE Program, Justice for Women’s Taskforce, National Action Network, NY Alternatives to Incarceration Network, NY Reentry Education Network, Silent Cry, Inc. Women’s Community Justice Association, Women’s Prison Association.

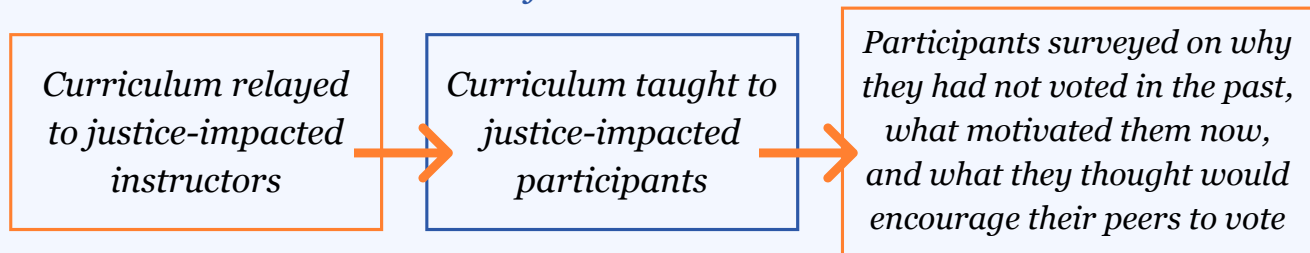
<sup>5</sup> It is worth noting that in the original design there were going to be 300 students broken up into three separate groups. We were going to test which motivational message resulted in the highest rate of registration and voter turnout. This is why there were certain qualifying criteria for both specialists and students. As discussed in Section IV. “Recommendations for Improvement,” recruitment of students at this scale was not feasible within our timeframe so the design of the study was adjusted to get a deeper understanding of voting motivations and barriers amongst a smaller sample.

The project surveyed the specialists, students, and others who did not receive the curriculum to answer the overarching questions of why they had not voted in the past, what motivated them now, and what they thought would encourage their peers to vote. These surveys—offered online and via phone calls—will provide a chance to hear directly from justice-impacted people on how they view voting. They will also inform the efforts of governmental agencies, advocacy groups, and others to encourage justice-impacted people to vote. Section III details these findings. Furthermore, the surveys can offer insight on how the peer-to-peer model and curriculum might be improved and better implemented in the future. Section IV explores some initial recommendations.

## *Peer-to-Peer Focus*

From its inception, an important aspect of the project was its emphasis on peers educating peers. Peer modeling and education has shown up in a variety of fields including family planning and health, as a helpful modality for individuals to visualize success based on the shared experience [31]. Within the criminal legal framework, peer-education has demonstrated success for at-risk youth [32]. Studies have recently expanded into exploring how currently incarcerated [33] and formerly incarcerated individuals [34] can help change a motivation into an action.

### *Project Structure*



CCF believes that it is essential that wherever possible, justice-impacted individuals teach one another. The assumption is that peers will have a greater impact than someone unaffected by the justice system. The perceived level of empathy increases with shared experience, trust around messaging increases, and self-efficacy is promoted through observation of relatable individuals demonstrating mastery of skills or behaviors.

## *Curriculum Delivery*

Essential to understanding Justice Votes NY is its curriculum. This was developed by CCF staff, including those with personal justice involvement, and built upon findings within the existing literature around voting on justice-impacted persons. The curriculum was non-partisan in its focus and emphasized knowledge, beliefs, and skills to promote voting participation over time rather than in response to a particular election cycle. Specialists received the curriculum in two sessions conducted by CCF staff, alongside a corresponding facilitation guide, and the slides to conduct the three-session curriculum themselves with their recruited students.

CCF emphasized an autonomous and non-partisan approach. CCF believed strongly that it was ultimately the individual’s choice as to whether they were inspired to vote after learning all the information provided in the sessions. If they did not feel inspired to vote, the surveys would assess why they still felt voting was unnecessary. Individuals were provided with all of the information they would need to register, research candidates, access their polling place, and vote. However, while they received stipends for administering or taking the course, there were no stipends or incentives provided to vote, nor were there any discussions about going to the polls. Courses ended prior to Oct 9th, the registration deadline in New York, roughly a month before the election.

Twenty-four specialists and 19 students received the curriculum and completed surveys, where they reflected on voting motivations as well as the curriculum—what they learned and where it could be improved. These surveys form the basis of our understanding of the project’s efficacy. Reflections on the curriculum are a major aspect of the surveys.

## Curriculum Content

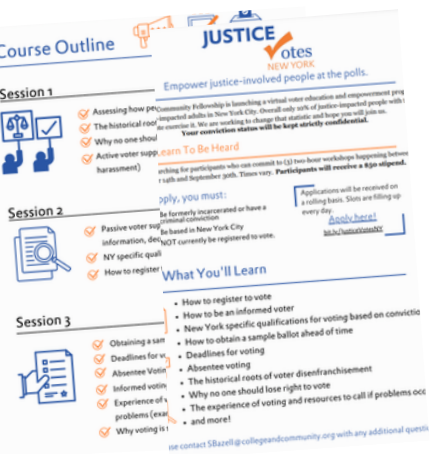
The New York City-based curriculum consisted of slides delivered via Zoom and contained information specific to the five boroughs. There were three sessions: “Voting History,” “Voting Registration,” and “Voting Informed”:

Voting History. Session one introduced the direct ties between disenfranchisement and slavery. It detailed how, historically in statehouses nationwide, as soon as people could no longer be excluded from polling sites based on race, laws were enacted to target and criminalize Black Americans, impoverished Americans, and Immigrants [35].

Extinguishing civil rights on the basis of crime has its roots in ancient Athens and Rome and is called “civil death.” As William Blackstone said, in Ancient Athens and Rome, civil death was used only “when it is...clear beyond all dispute, that the criminal is no longer fit to live upon the earth, but is to be exterminated as a monster and a bane to human society [36].”

Disenfranchisement’s roots in civil death elicited the greatest response from students. Ivelisse Gilestra, CCF’s community organizer who self-discloses her justice-impacted status stated that those receiving the course “tend to easily see the connective tissue between past and present, [saying], ‘Oh, so this is the continuation of a system of exclusionary policies.’”

The session also covered how disenfranchisement is largely an American phenomenon. Active voter suppression was also explored.





Voting Registration. Session two provided an in-depth dive into “passive voter suppression,” a lesser known but widely encountered phenomenon explored in Section III. The session also covered the eligibility standards in New York, how to identify them [37], and some of the options for restoring voting rights, including applying for a Certificate of Relief from Disabilities<sup>6</sup> and a Certificate of Good Conduct.<sup>7</sup> Finally, it broke down the steps of registering to vote: the needed items and how to choose your party.

Voting Informed. Session three covered how to become an informed voter by developing an understanding of elected officials. It provided information about the New York Assembly, Senate, House of Representatives, district attorneys, and judges, including the best practices for how to research each. Students were taught to find their city council district, community board, public advocate, comptroller, district leader, and borough president. Students were then tasked with researching who had been up for election based on their addresses in any year from 2010 to 2020.

The curriculum also taught students how to find deadlines and the importance of paying attention to all of them: registration deadlines, party change deadlines, and absentee ballot request deadlines. It also walked them through obtaining a sample ballot and absentee ballot and familiarized people with what the voting experience might be like.

Finally, session 3 covered early voting, encouraged students to sign up for election updates, and offered a final call to shift the power by voting. Statements such as, “When formerly incarcerated people vote, they identify candidates who want to change the criminal justice system” were emphasized during the session.

Each session encouraged students to share their thoughts and relate what they had learned back to their own experiences. Overall, the format was interactive, utilizing breakout rooms and leaving space for questions and reflection.

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6 A Certificate of Relief from Disabilities (CRD) removes certain Collateral Consequences—consequences outside of the criminal court system that can affect one’s current job, future job opportunities, housing choices, immigration status, and so on. One is eligible to apply if they have any number of misdemeanors but no more than one felony.

7 A Certificate of Good Conduct (CGC) gives the legal finding that one is reformed after a conviction. The CGC removes some Collateral Consequences, allowing one to apply for certain jobs, licenses, housing, or other lost rights. One is eligible to apply if they have two or more separate felonies, or if they are seeking a Public Office job.

# Methodology

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In order to recruit justice-impacted individuals to participate in the project, CCF reached out to its network—over a dozen New York City organizations that provide reentry services—through which they sent a series of emails to recruit specialists and students. In November 2020, following the implementation of the peer-to-peer curriculum, CCF surveyed all participants on their experiences. The report’s findings come from these surveys, which were conducted online and by phone; participants could choose either method. Nearly 20 percent of survey responses (17/95) were collected via phone, demonstrating that offering multiple methods increases accessibility, especially as this population experiences lower digital literacy rates [38].

For those who completed the program, whether they be specialists or students, CCF was interested in learning about their experiences with the program and its impact. In total, 81 justice-impacted people were surveyed and received stipends, resulting in 95 survey responses (14 individuals also took a post-voting survey). Participants were predominantly Black or African American, 85% were formerly incarcerated, and the average age was approximately 42 years old. Multiple surveys were administered to capture the unique experiences of the different participant groups. These individuals can be broken down into four groups:

1. Specialists: Justice-impacted individuals trained by CCF to teach the curriculum to a cohort of students. Specialists were justice-impacted individuals who were largely engaged activists within the community. There were 24 specialists total. Three of these individuals had started as a student and then converted to become a specialist after receiving the curriculum themselves. Each specialist group received their own survey. Specialists were asked for feedback on the program and how they would change the course. They were also asked whether they felt confident in the voting booth after completing the course, and whether any past assumptions about voting changed. Sample survey questions can be found in Appendix A.

2. Students: Justice-impacted individuals who received the curriculum from a specialist. To be a student the person had to be eligible to vote, but not registered, justice-impacted, and living in New York City. Students received two surveys, one pre-voting and one post-voting. Nineteen students took the pre-voting survey, and 14 of them completed the post-voting survey. Sample survey questions can be found in Appendix A.
3. Those who expressed interest in becoming a student, but did not complete the curriculum. Thirty-one justice-impacted individuals who registered for the first time this year were surveyed. These individuals received information about CCF’s programming and indicated interest but ultimately did not participate. CCF was interested in why they didn’t participate in Justice Votes NY, and how they envision a successful program that would motivate them and other justice-impacted people to vote. Sample survey questions can be found in Appendix B.
4. Those who were referred by specialists or students to be surveyed, but never received any outreach to become a student. These individuals were justice-impacted, had not voted before, and had not received any information about Justice Votes NY. We wanted more information from justice-impacted individuals on motivations from those with no exposure whatsoever to CCF’s offerings. Seven of these individuals were surveyed. Sample survey questions can be found in Appendix B.

The table below demonstrates the number of surveys collected by phone and online:

Group	Online Surveys	Phone Surveys
Trainer A	15	6
Trainer B	3	0
Participant A	15	4
Participant A2	14	0
Participant B	25	6
Participant C	6	1
Total	78	17

Trainer A: specialists only  
Trainer B: students who converted to specialists  
Participant A: Students before voting  
Participant A2: Students after voting  
Participant B: Those who expressed interest in program but did not complete the curriculum  
Participant C: Those who were referred by specialists or students to be surveyed, without having completed the program

Depending on the role they played in the project, each individual received a specific set of questions - there were six surveys administered in total. There were some themes that spanned across all surveys, which offer insight to the individual’s history with voting, attitudes toward voting, and views on the government. All survey participants—even those who were unable to complete the project—offer valuable insight.

# Section III: Findings: Motivators & Barriers to Voting

## Reasons for Not Voting

Participants were asked why they had not voted previously. Many discussed a relationship with the carceral system, be it jail or prison. People cited voting restrictions due to incarceration, parole, probation, and open cases. Others referred to some of the underlying conditions that led to contact with the criminal legal system, such as histories with drugs, alcohol, and abusive relationships.

Sixty (60) participants who were not specialists (those who did not provide the training) were asked to describe why they have not voted in the past. Of the 55 participants who provided a reason for not voting in the past, 44% cited an internal thought process. These can be characterized along three themes:

1. The first is a sense of self-worth tied to a criminal legal status that discouraged voting. One respondent answered, "Because I've never felt like I really mattered." Some stated that had they known they were able to vote it would have empowered them, best illustrated by the following individual's reflection,

*"I was incarcerated because I was poor and voiceless. Allowing me to vote would have given me the power I needed at that time."*

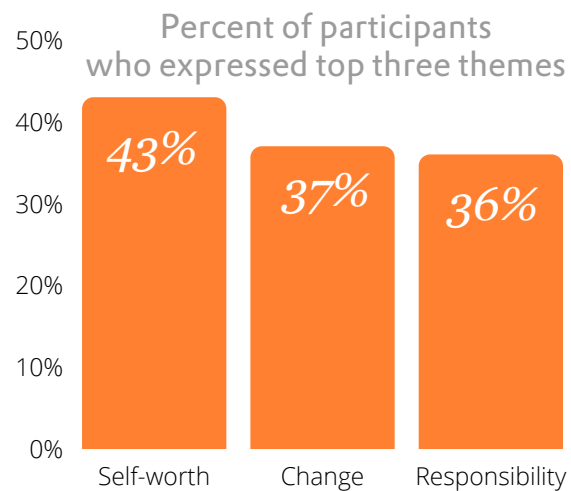
2. The second major theme was disinterest towards politics and feeling that voting did not matter. Many claimed that at the time they did not care and did not think it was worthwhile to vote, simply stating that politics did not matter to them.



3. The third theme was a negative outlook on candidates, political process and the larger system that has left justice-impacted individuals feeling overlooked. Several described that there were no candidates that they felt represented their views or addressed issues that had a direct impact, stating that they did not vote because they “didn't think it was going to change anything, didn't like having to vote for the lesser evil candidate” and another, “[t]hey sell you [you a ] million [dollar] dream, but they never live up to the dream.”

## Motivations for Voting

Individuals were asked why they chose to vote this year. The 135 responses containing motivations among 81 participants reflect the multi-faceted thought process involved in civic engagement. The following percentages reflect how pervasive a theme is among justice-impacted individuals, allowing for multiple responses per participant. As a result, adding the percentages of respondents for each motivation does not total 100%.



\*NOTE\* Percentages will add up to over 100% as participants provided more than one response per person.

### *Self-worth*

Indicators related to empowerment, self-worth, and the feeling that their vote mattered, were the most common and were shared by 43% of participants. For many, the act of voting was intricately tied to a sense of feeling whole as a human being. One person shared, “I felt like a legit member of the human race. I was grateful and happy I got to vote.” Speaking to voting after incarceration, one individual said, “Just exercising any right feels liberating coming from a place where it was very hard to have basic human interactions without fear of trouble or consequences.” As one would expect, the impetus was a feeling that one’s vote mattered.

### *Change*

The second most common theme for why individuals voted had to do with a desire to change leadership and implement change. It is here where 2020 is both a compounding effect but can also teach us a lesson in motivation. Notably, far more students (47%), who were voting for the first time, raised the need for a change in leadership than did specialists (13%) as the primary driver for why they were voting. Many people specifically mentioned Former

President Donald Trump by name, even though the curriculum and survey were entirely non-partisan and did not ask people to articulate political standing. By 2020, President Trump was nearing the end of his tenure. Estimates include that Trump appeared in 40% of news articles, while previous presidents usually appear in 10% [39]. People's answers not only reflected strong feelings about him but how an extraordinary number of groups were organizing around his candidacy. A respondent noted, "I was motivated to vote in this election because I wanted a change in our leadership. The efforts of numerous organizations emphasizing the need to participate in a change of political direction also motivated me in voting." America has notoriously low turnout for elections, and disinterest seemed to come to a climax in 1997 where only 51% of eligible voters came out for a presidential election. In 2020 turnout was 67% - the highest of the 20th and 21st centuries [40,41].

2020 was also unparalleled by the unprecedented global pandemic and several well-publicized instances of police brutality against Black individuals, sparking nationwide Black Lives Matter movements. The race-centered undertones were reflected in one participant's response, "Racism has plagued the United States for far too long, and there is a real need for change before another civil war occurs."

Interestingly, in contrast to prior studies [42], a negative interaction with the government was a motivator rather than a source of disillusionment. As shown in the quote below, people felt like unjust systems could only be rectified by exercising power.

*"I think the fact that I'm justice involved makes the ability to vote that much more important. I think it might discourage many people if they don't feel or know that they have that right but for me personally, just exercising any right feels liberating coming from a place where it was very hard to have the basic human interactions without fear of trouble or consequences."*

Roughly 14% of participants mentioned that they were explicitly motivated by a change in the criminal legal system, whereas about 23% wanted change related to economic, social, and other issues.

## *Responsibility*

The third most common theme, shared among 36% of participants, was a sense of responsibility. Some mentioned that as a citizen, they had a sense of civic duty, and others articulated it as their human right, but a fragile one, "I have this fear that if we don't use it, it'll get taken away from us. So use it." For others, as the demographics of this sample were predominantly Black Americans, the duty arose from the longstanding fight for Black voting rights and that ancestors had fought

and died for this right. To forfeit this right was to allow white supremacy to prevail. The awareness of the intersection between race and voting was reflected in this response, “[T]here’s some that count on WE (MINORITIES) to NOT vote.”

Additionally, some felt they needed to vote on behalf of those legally barred from doing so and create a voting bloc of individuals who have touchpoints with the criminal legal system. One individual explained,

*“Just about every citizen has been impacted by the police. So how can we disinclude the majority of citizens that have a record?”*

Voting and civic engagement have ties to the overall sense of connectivity within a person’s social network [43]. Strong personal links are more closely tied to political participation [44]. In some instances, these relationships were enough to overcome external and internal barriers. Individuals described family members signing them up to vote, where one participant articulated that what made them vote was, “My wife, my sister-in-law encouraging me that the weight of not voting outweighed any wait time on line. My sister-in-law waited almost 2 hours to vote.”

### *Emotional Resonance with Voting*

Participants were asked what their top 3 emotions were when they thought about voting. The graphic below illustrates the wide range of feelings from empowerment to anxiety, while representing the significance of being able to vote, even though there are still entrenched painful emotions present.



# What Would Drive Your Peers to Vote?

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It was critical for us to have individuals share what would get their peers to vote and to learn from the factors they felt were necessary. Due to the open-ended nature of the questions, some people spoke to more intangible ideas while others recommended pragmatic solutions for which there is inevitable overlap. There were 169 responses with expressions of what participants felt it would take for their peers (phrased as members of the community, people who just got out of jail or prison, justice-involved individuals, or other people) to vote, among 81 participants. Participants had the opportunity to express more than one reason for what would get their peers to vote, which means the percentages reflect how often a sentiment was stated and will add up to over 100%.

**52%** of participants spoke to the need for justice-impacted peers to understand their relationship to policies and candidates.

Notably, the majority of participants (52%) spoke to the need for justice-impacted peers to know about and understand their relationship to policies and candidates - an issue that will be expounded upon within the "passive voter suppression" section. Within this category, many spoke of the need to prioritize issues that touch on basic needs like job creation, taxation, and housing. Others talked about a sense of belonging within politics which builds on connectivity, a core component of civic engagement.

Forty (40) out of the 81 participants expressed that people needed to know that their vote meant something. The initial issue was framed by one of the participants:

*"Yes absolutely. We all matter. I'm glad they don't take our vote away. If we don't show interest, then our causes or our votes don't matter. Someone else will take over if we don't care."*

People had negative touchpoints with the government but felt the government could demonstrate value and interest in them so that view is not entrenched. Positive engagement with the government could change outlook, as shared by this quote, "If we saw politicians and congressmen active in our neighborhoods on a consistent basis and not just when they are up for election. People are tired of being used and feeling used." Participants provided examples of what would make an individual feel their vote was meaningful including, "When they see



improvement and when they are included at some level of decision making.” Many described a feedback loop wherein their vote was related to a sense of purpose; establishing self-determination was both a means and an outcome.

Tied for the second most common emerging theme (49% of participants) was a need to increase community engagement and outreach. This manifested in a number of different ways that can be visualized as the progression from within the prison walls to community supervision and then into the greater community. Several people mentioned that information about voting should be disseminated and examined while people are still inside the prison walls. One individual laid out the complex roadmap people face as they exit prison, including immediately finding shelter, obtaining essential government assistance, and adjusting to a world that may have transformed since the person entered the prison facility. Numerous people discussed integrating voting related knowledge with other services sought by traditional reentry providers like connections to mental health services. People also described the need for community-based events varying from rallies to community workshops. Finally, people described transportation services and other tangible methods to connect people with the polls on election day.

In response to open-ended questions about getting peers to vote, at least 15% of participants crafted specific recommendations that included the importance of messaging around voting that was delivered by people with similar experiences. These unpromoted suggestions resonate with the peer-to-peer model of the project delivery, and emphasizes the importance of local community leaders who are viewed as credible. This was captured in one specialist’s response, “I believe what we did was a good start, but... They also need to see people like them educating them about the importance and the history of voting so that they truly understand the meaning behind what it means to vote.”

The underlying need in the majority of comments relates back to education.

**37%** *of participants explicitly described education as absolutely critical to get peers to the polls.*

Education is broken down into three categories: 1) procedural; 2) substantive; and 3) confidence-oriented. The procedure-based need involved information on deadlines, methods of filling out absentee ballots, increased awareness of the overall process from registration to voting, and eligibility. One respondent commented, “Information - if I was not informed that I was pardoned & able to vote, despite my recent justice-involvement, I would've never checked my voting status and attempted to vote.” Substantive-based education includes knowledge of

policies and what was generally going on in the election cycle. A participant described that within prison, “It's not like we're watching the election on TV. It's not like we're seeing the campaign. [Inside we are] already cut off to the world and with the traumas and experiences of incarceration, [you are not seen as equal to those who have not experienced incarceration].” Finally, the need for education is about ensuring confidence while voting.

Having anxiety or fear around voting for the first time was commonly expressed. Providing information on what to expect and how to vote would help establish that it is not a complex process and provide some familiarity for those going to vote for the first time.

## Accounts of Passive Voter Suppression

While the existing literature cited in Section I discussed the lack of information dissemination around eligibility, this is part of a larger phenomenon known academically as “passive voter suppression,” that is driven by neglect and often overlooked as a means to actively stymie votes [45]. People are most familiar with active voter suppression that arose in the aftermath of Jim Crow and persisted after the Voting Rights Act of 1965 as a means to stop Black and Brown people from voting [1d]. Common examples include voter ID laws, purging from voter rolls, intimidation, and harassment [46].

Deliberate confusion and lack of access to reliable information about voting by the government present persistent problems [5]. Felony disenfranchisement laws can be confusing [1d], election administrators can be ill-informed about other requirements for voting or miscommunicate them [1d], and information on voting can be poorly organized and hard to find [47]. These challenges are compounded by varying deadlines for each component of the registration and voter process.

### KEY FACT

Things that we accept as normal parts of the voting process such as long lines and registration deadlines are voter suppression.

As part of our findings, specialists were asked whether they thought there are people who think they do not have the right to vote when they do - 95% (18/19) of those who answered the question said yes, many using stronger language to emphasize that this was a common thing that they witnessed. Students who participated in the curriculum were asked if they thought they could not vote because of a past justice-involvement: 60% (9/15) did not know until their interactions with CCF that they were eligible to vote.

**95%** *thought that their justice-impacted peers didn't know they were eligible to vote.*

Outreach is key to mobilizing people to the polls, yet our findings suggest that the communities with high rates of incarceration are being ignored. Sixty one percent (61%) of participants said a campaign had never come to their community to encourage them to vote for a particular candidate, and 61% said they had received zero communication from any type of campaign. This is astonishing when considering that in 2019 and 2020 alone, the New York State Assembly and State Senate spent a combined \$61,524,895 [48] for one election cycle. Participants had not been reached out to in the past by any federal, state, city, or local election (at least one of which occurs every two years), even in 2020 when a record \$14 billion was spent on the presidential and congressional election [49].

Community-based organizations are not filling in the gap enough to make up for this deficit, and neither are the participants' networks. In terms of familiarizing people with voting, how to register, and how to actually vote, 60% had never received any education before engaging in CCF's program. When asked if they had ever been taught how to look into a candidate's background and what they stood for, 75% said no.

The lack of information dissemination and subsequent history of not voting begets even less information and engagement. It is publicly available information as to whether an individual has registered and voted in any election, and depending on the state, more information may be available as well [50]. Governments and campaigns seeking to increase turnout often ignore populations that have not registered because it is considered an additional costly touchpoint to inform registration. Meanwhile, if someone has voted in the past, it is seen as an easier feat to encourage them to simply choose their candidate [51, 52].

Furthermore, the political engagement of a community creates local political parties and other organizations that increase civic involvement and provide helpful information on preferred candidacies to focus on that community. Because political participation is largely driven by the connections we have and is a part of social capital [53], entire communities are being excluded.



# Section IV: Lessons Learned

## What Worked

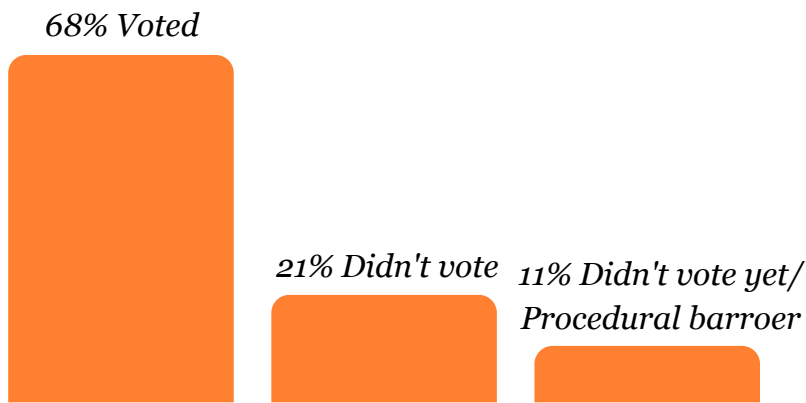
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As described in Section II, Justice Votes NY involved a peer-based curriculum that consisted of three sections that discussed the history of felony disenfranchisement, how to register, accompanying deadlines and resources, how to vote in-person or absentee, and how to effectively research candidates. Respondents were asked about the training, focusing on what aspects of the training they found helpful, if any. Many expressed positive sentiments that they enjoyed the whole course overall. The vast majority of students stated that the course was helpful and that they would recommend that it be provided to others, with one respondent commenting, “I honestly wouldn’t change a thing. It was very informative - all my questions were addressed, the literature was presented at a comfortable pace, and it was a friendly atmosphere. I truly enjoyed it.”

When asked if the course was necessary in order to get people to vote, 95% (19/20) of students responded affirmatively, with one person stating, “Yes because it's got me and a few more people to vote so it would work to encourage others to vote because it worked before.” The survey results indicate that 68% (39) of the respondents (who did not teach the curriculum) voted in the 2020 election. This is higher than the unprecedented voter turnout that occurred nationwide [43]. While 21% of the respondents indicated that they did not vote, 11% stated they had not voted at the time of the survey (before the election) or had a procedural barrier in place that prevented their eligibility. The specialists who taught the curriculum were not asked whether they voted. However, given their high level of commitment to teach and recruit other justice-impacted individuals, we can assume most, if not all voted.



## Voting Outcomes in 2020 Election



▶ At least 68% of participants voted in the 2020 election.

▶ This is higher than the percentage of the general population that voted in the presidential election.

Within the feedback provided, 12% of individuals focused on how the course increased their overall confidence. One respondent commented that the training component was necessary because “when you're incarcerated you feel like you have no voice.” For others, the confidence came from the peer delivery, one person stated, “It all helped. This was the one safe space I had to talk about the issues of the formerly incarcerated where I didn't feel shame or judgement.” For some, it was about overcoming everything new that came with voting and what that might entail. Lastly, it was an acknowledgement that they could contribute to what was happening in America. Whereas many had initially associated the ability to make change in government with money and connections, they saw other avenues by which they could contribute to the system. Listing all that an individual learned, they finished with, “that there are so many ways even small communities can make noise for change” and another stated, “it was just very enlightening to know that I have a lot of power and say so in who governs my community.”

While many Americans register without much thought and navigate what can already be a confusing ballot layout, it is important

! It is a crime to procure a false registration or to furnish false information to the Board of Elections.

1 Are you a citizen of the U.S.?  Yes  No  
If you answer *No*, you cannot register to vote.

! Qualifications

2 A) Will you be 18 years of age or older on or before election day?  Yes  No  
B) Are you at least 16 years of age and understand that you must be 18 years of age on or before election day to vote, and that until you will be eighteen years of age at the time of such election your registration will be marked “pending” and you will be unable to cast a ballot in any election.  Yes  No  
If you answer *No* to both of the prior questions, you cannot register to v

to recognize that both the registration and ballot forms in NYC and in other states declaratively warn of the criminal and financial penalties for providing false information. The first line before you begin to fill out the registration form states, “It is a crime to procure a false registration or to furnish false information to the Board of Elections.” When you sign the affidavit to swear and affirm several conditions it reads, “I understand that if it is not true, I can be convicted and fined up to \$5,000 and/or jailed for up to four years.” This same type of language appears on the ballot itself. For someone who has already had contact with the criminal legal system, these are the types of deterrents that we are not appropriately addressing when we merely encourage people to vote without corresponding education. One respondent said, “I didn't want to feel like a fool for trying to register. I also didn't want to get in trouble for trying to.” Others shared a similar sentiment.

Notably, the largest group felt the most critical aspect of the training was on how to become an informed voter. Frequently, this element is not addressed even in standard, extensive outreach efforts or by the government. While NYC's government has a website to get to know the candidates [54], administrators of the course, specialists, and students did not find it particularly useful as it was not kept current.<sup>8</sup> Twenty-one (21%) of people expressed the most important takeaway of the program was the various competencies gained in researching candidates' backgrounds and viewpoints. A respondent commented, "the most important takeaway was just researching candidates and seeing where I can get involved with candidates. Also seeing where I have the most access and how I can keep candidates accountable." While voting is a decision made between candidates and voters, most get-out-the-vote efforts are by particular campaigns. Other registration-focused efforts tend to include education on how to vote but not on how to choose an individual [55,56]. Information about NYC candidates is difficult to find and the resources available to assist in determining the ideal candidate is vastly different across regions [57,58].<sup>9</sup>

Finally, the project design left people invigorated. One individual articulated, "I was taught everything. That motivated me. It woke something up in me and I took off. It woke up so many things in me."

## Recommendations for Improvement

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Despite the project's successes, there is room for improvement. CCF hopes that another organization will replicate or build off this program model and obtain survey and voting outcome data on a larger number of individuals who may be recruited with methods likely to increase their generalizability of the larger population. Replications should include recruitment of a larger sample of justice-impacted persons for participation, improved efforts to ensure that participants reflect key demographics of the population at large (gender, race/ethnicity, geographic residence, education) as well as more lead time for community partnership building, curriculum development, testing, modification, and delivery.

CCF received funding from FICPFM in July 2020. The initial concept was that CCF would utilize its extensive networks in the reentry space in NYC to recruit specialists to train in the

### *New York 2020 General Election Deadlines*

- Oct 9* Last day to postmark registration (registration via mail)
- Oct 14* Last day a change of address may be processed
- Oct 24* Early voting begun (first time ever in NY)
- Oct 27* Last postmark date to obtain general election ballot to vote absentee
- Nov 2* Last day to postmark general election absentee ballot
- Nov 3* Last day to deliver general election in person

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<sup>8</sup> Login to the site as of 10/20

<sup>9</sup> CCF conversations with local political party leaders revealed a dearth of comparable political party structures in areas with concentrated pockets of formerly incarcerated people like the Bronx, as compared to Manhattan and its most affluent areas.

curriculum CCF devised and that those specialists would, in turn, recruit 10 students each. Initially the specialists were going to be randomized into three groups and CCF would test motivational messaging to identify what led to the highest voter turnout. See Appendix F for more information on the limited testing that was performed. Once roughly 30 trainers were identified, CCF's policy staff of three people set-up slots to train these specialists in the curriculum. Eventually, a Justice Votes coordinator was brought onboard. October 9th was the last day to register to vote in the election. This was the first year New York had early voting that allowed people to vote from Saturday, October 24 through Sunday, November 1. It is worth noting this also took place at the height of the COVID pandemic so everything had to be done digitally, and we could not recruit through in person events or programming.

## *Recruitment Timeframe*

This recruitment timeframe was protracted. Because of the decentralized and confidential nature of identifying justice-impacted individuals, there are many challenges that make recruiting a large sample difficult.

*There is no centralized repository of information on returning individuals for researchers to refer to, unless an organization were to enter into a contract with the state's department of corrections.*

It is important to note that much of the pre-existing literature has a smaller sample size than the 81 people that were surveyed for our findings [20].

One requirement of the program was that students had to be eligible to vote but not yet registered. This meant students needed to sign up before the October 9, 2020 deadline to register. Anyone endeavoring to replicate a similar study would likely need over a year to recruit a large sample. Another important note is that individuals were unaware of their eligibility to vote and our email communication stated that they must be eligible to join the project. Many people did not know they were actually eligible and thus, likely saw the email blast and ignored it.

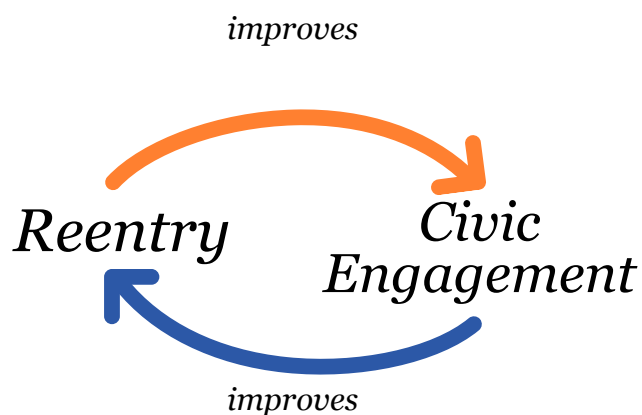
## *Specialists' Responsibilities*

Specialists received a two session course from CCF staff on the curriculum, with an accompanying guide on how to teach the class, and for some a zoom tutorial. They were then asked to recruit ten people to participate and have them agree to participant expectations in order to receive stipends. This was a huge administrative burden on CCF but even more difficult for the specialists. One specialist put it best, "I did not have enough time to

thoroughly digest the material in order to explain it precisely and comfortably." Presenters need more time to read the slides on their own and more time to practice the presentation in private before having to teach it publicly. "Two weeks is not enough time for adults who are working or in school or both and who have families."

## Addressing Challenges Faced by Students

The targeted population of students were most commonly taking the voting curriculum while in the reentry phase after incarceration, a likely obstacle to voting, but one that can be appropriately resolved if there are efforts to mobilize this population. Reentry involves struggles such as accessing public assistance, securing and maintaining employment, and finding and securing housing [15]. These struggles can vary widely depending on one's stage in reentry and contribute to the heterogeneity of this population - hence, difficulty of recruitment. Reentry is often discussed as one large process, when it is rather varied depending on the stage [59]. Ideally, this course could be combined with many of the services people are receiving, such as mental health, something that many respondents recommended in the surveys. Given how empowered people feel after voting, it is worthwhile to promote civic engagement during reentry. Condensing the curriculum and offering it over the course of one weekend, or as a single workshop, are other ways in which it could more easily fit into the schedule of a person during this stressful period.



### KEY FACT

Today, most of our systems, including voter registration, rely on digital tools to function, making digital literacy essential for successful reentry.

Individuals just coming out of prison often have fewer technological skills as a result of limited technology access in correctional facilities or access to computers upon release. There is little technology in carceral settings and it is often associated with prohibitive fees [60]. One individual who had been incarcerated for 13 years described that going from prison to reentry was like "going from the old ages to Star Wars. [61]" Ideally, this course and recruitment would all take place in person, and would include teachings on digital literacy considering that so

many voting resources live online. Courses should also be taught in multiple languages and with accommodations for persons with disabilities. Increasing access to computers must be facilitated if future training is done online.





# Section V: Program and Policy Recommendations

The lessons learned provide an exceptional jumping off point for organizations focused on getting justice-impacted individuals to vote and who may seek to replicate this study. While these recommendations should be taken in context with the sample size, they do provide an important foundation for multiple organizations, such as government and campaigns considering efforts to mobilize justice-impacted populations.

## 1. *Create Outreach Programs that Center Education and Empowerment.* We saw that simply notifying individuals of their eligibility and encouraging them to vote was not enough. People need a more robust course on civic engagement in order to overcome internal obstacles to voting.

a. Participants explained a need for education, as one wrote, “All the people I reached out to would have been first time voters and greatly benefited from this info. They had just registered because of voting drives, but never received the education that was provided by this workshop.” For many, voting is new and familiarizing people with the voting and registration process provides the confidence to participate. As states create statutes that require notification of eligibility [20] this should be accompanied with a peer-delivered curriculum, as discussed in Recommendation 2.

b. The education provided needs to actively demonstrate how people can make a difference so that there is a desire to participate. Many had felt that their vote did not matter. Providing people with information both about what is at stake and showing them the accessibility of some of their representatives, particularly at the local level, allows people to see that they can be the ones to hold the government accountable. Also, lessons on researching candidates can give people an additional sense that they are involved in the political process and motivate participation.



## 2. *Use Peers or Credible Messengers to Conduct Education.*

People affirmed that peers providing education helped in a variety of ways including, but not limited to confidence, feasibility, and value in the section on what would drive peers to vote, what worked about the program, and in prior literature. Many different institutions may have interest in increasing voter turnout among this population varying from government to individuals. Within the various means through which these individuals have touchpoints with the criminal legal system and have eligibility to vote, the integration of peers in the process, whether it is a partnership or funding opportunity, should be considered. Participants remarked numerous times that seeing the passion of formerly incarcerated people made political participation seem possible.



## 3. *Follow-up Education with Voting Support.*

CCF's theory of change operates around providing people with a sense of self efficacy and autonomy, which was reflected in the lack of direct encouragement or logistical support to get to the polls. Lai-Lin Robinson, the Justice Votes coordinator who conducted the phone surveys stated her biggest takeaway was that people wanted someone there with them at the voting booth. Many individuals reflected that they ultimately went to vote because a family member or friend did so and that this helped them with the confidence to overcome voting for the first time. In honor of all the aforementioned values, a future iteration might create an optional space to include voting day plans, organizing with friends, neighbors, and members of the community to go to the polls together.



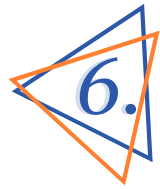
## 4. *Create a Mentorship Model to Sustain Impact.*

A few of those who had been students became specialists and taught the curriculum to their own cohort of students. Encouraging students to become specialists creates the type of extensive network that is positively correlated with civic engagement and makes the program lower cost to continue running as the infrastructure is already established.



## 5. *Integrate Civic Engagement in Reentry.*

As shown in this study, people reported that voting made them feel a sense of self-worth. Some spoke to how this was the type of power and self efficacy needed prior to incarceration. It is always worthwhile to involve people in civic engagement. Rather than see reentry as an obstacle, it can be incorporated into preexisting services and integrated into reentry models for funding, program development, and evaluation around successful reintegration.



## *6. If Parole and Probation Officers are the Messengers for Voter Enfranchisement There Must be Measures to Ensure This is Done Appropriately.*

In some instances, given the infrastructure of the municipality, a parole or probation officer may be the only person with whom there is guaranteed contact with an individual navigating the criminal legal system. In a limited number of jurisdictions these officers have been explicitly tasked with providing basic voter rights information. Given that our survey results and other literature [62] indicate that those individuals responsible for community supervision do not always provide information about voting rights status or may even sometimes provide misleading information, clear responsibility standards or directives on these functions should be issued, staff provided with training and reference resources, and accountability measures established to monitor adherence. Our project suggests, however, that reliance upon community supervision staff employed by a system viewed largely as unjust is insufficient and should be accompanied by community-based voter rights services with peer-based delivery recommended.



## *7. Any Laws on Enfranchisement and Increasing Voter Accessibility Require Feedback From Those Who Are Directly Impacted.*

While well-intentioned, many of the laws and/or executive orders governing voting for those justice-impacted do not consult with anyone who has experienced incarceration or has been part of a community or family experiencing incarceration. There are many directly impacted advocates who have overseen voter eligibility changes; they should always be consulted in the promulgation of the law to ensure that the appropriate voting training, engagement, and outreach reflects the real life experiences of the intended audience. Some state legislators may choose to help build a taskforce, hold listening sessions in communities with high rates of incarceration and low rates of engagement, or create advisory boards. These critical legislative and policy changes must at least be vetted by those formerly incarcerated.



## *8. Government Officials Should be Present in Communities with High Rates of Incarceration.*

While the sample size was small, the feedback was that very few people had seen any elected officials where they lived and worked. Many stated that their communities would be more galvanized to participate in the political process if they were to actually encounter their leaders, shifting disillusionment in government to participation in political processes for

change. Each jurisdiction has different levels of local and municipal elected officials or candidates who can host community forums, town halls, and other events to create dialogue with the community.



## 9. *Passive Voter Suppression Must Be Addressed.*

Passive voter suppression is not a widely known phenomenon. The literature serves to confirm the very small body of work that points to underserved communities being silenced in a manner that is not explicit. This is something that requires much further research, especially when looking to communities disproportionately impacted by cyclical incarceration. Below is just the beginning of a long journey into navigating the pipeline of the same repeated communities into prisons [63].

a. Create Awareness: Passive voter suppression has been normalized. We expect long lines at the polls and confusing sets of deadlines. These hurdles disproportionately hurt those communities that are less likely to have familial or a community history of civic engagement. People who are more affluent have more time to navigate the complexities of voting and look to their networks for shared agreement on candidacy decisions. The more people discuss and expose that which disproportionately excludes populations through means like radio, or community-based reporting, we can begin to assess the degree to which neglect in a particular geographic area may be intentional and needs to be remedied.

b. Improve Reporting: While our sample size was small, it did reflect that the majority of participants had not received outreach in any capacity by government, campaigns, or organizations. Similar to previous literature, we also found there were low levels of awareness surrounding eligibility. While our research does not go as far as to resolve the issue, we did see that the more we discussed barriers the more likely people were to report difficulties in voting. The earlier in the reintegration process that people are familiarized with the phenomenon of “passive voter suppression” the more they can report it to their jurisdictional oversight bodies, whether that be the Attorney General or a non-partisan ombudsmen. The more awareness is raised the more it will drive innovation in solutions.



## 10. *Identify Means to Incentivize Campaigns to Reach Out to Populations That Have Not Voted.*

As discussed in Section III, a lack of political participation begets less political participation because campaigns use publicly accessible data about voting patterns to determine whether

they should send mailers. Campaigns are often the primary drivers of information surrounding an election.

a. From a program design element, an institution seeking to replicate this could seek to create the lowest cost touchpoint to mobilize justice-impacted people with the explicit intention of demonstrating to campaigns that it is worthwhile to engage in these communities. There is some existing literature on whether justice-impacted voting would change the course or outcome of an election [64] but the study does not integrate the outcome of aiming to improve voter turnout. A study that demonstrated this would encourage campaigns to invest in reaching out to populations with which they currently have little contact.

b. In the last six or so years in particular, there has been an emphasis on campaigns that have a large number of small donors. It is a successful talking point that the Democratic party has rewarded by making it one of several thresholds for competition in a Democratic National Committee sanctioned debate [65]. This project is non-partisan in nature and did not propose how existing or new institutions might incentivize the participation of justice-impacted individuals, but we hope that others might, regardless of political party.



# Conclusion

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After executing this project and analyzing the reflections of justice-impacted individuals, we have a few major takeaways that build on previous literature and begin to move us toward a recommended changes.

As was often cited in the literature, our participants expressed internal barriers to voting related to self-worth, apathy, or even disdain for the political system. These barriers are systemically formed as a result of incarceration, its consequential disenfranchisement, and racial inequality. However, we found within a small sample size, that these internal barriers to voting could be addressed with strong peer-led educational programming, demonstrating that being a justice-impacted individual and voting are valuable additions to society at the individual, community, and societal level. Further, perceived structural barriers to voting could be redressed by making civic engagement a part of reentry.

With this pilot program's initial successes to engage and empower justice-impacted voters with our small and local sample of participants, we call for other providers and funders to build upon it through replication, expansion, assessment, and continuous improvement. This is not only based on the sentiments of the participants but also by the large percentage who showed up at the voting booth. Additionally, we recommend that legislatures consider statutes to address issues like notice of eligibility and that they incorporate some of the programming elements we have discussed.

# Appendix A. Sample Questions for Those Who Participated in Program

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## *Questions for Students*

1. Do you feel differently about voting now that you've finished the training? It's ok if the answer is no!
2. Did you use anything you learned in the training to vote (ex. Familiarity with ballot, how to research candidates)?
3. Did you use anything from your training in any interactions with people or in any form or fashion whatsoever (ex. Letting a family member know about parolee look-up)?
4. Did anything from the training help?
5. Have any past assumptions about voting changed?
6. Did you feel confident in the voting booth?

## *Questions for Specialists*

1. How many participants were you able to successfully recruit for your sessions—and keep in the course throughout?
2. How many participants did you reach out to and attempt to recruit?
3. What are the reasons why participants you recruited were not able to complete the course as planned?
4. Why do you think people were unwilling to participate?
5. What are your suggestions for the best way to recruit justice-involved participants?
6. What did you find hardest to teach about the curriculum?
7. Is there anything the curriculum did not cover that you think it should?
8. What was your biggest frustration with the model overall? (by model we mean having trainers go through training session then administer a 3-session course to a recruited cohort)?
9. How would you administer the curriculum differently?
10. Were you surprised to hear only 10% of justice impacted people exercise this right to vote?

## Appendix B. Sample Questions for Those Who Did Not Participate in the Program

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1. What do you think of when you think about voting? Give me your top 3 emotions. Give me your top 3 persons. Give me your top 3 mental images. Give me your top 3 anything—what is coming to your mind when you think of voting?

*Specifically for those who expressed interest in the program, but did not participate:*

1. Sorry you weren't able to participate in our curriculum. Tell us about what prevented you from participating.
2. What would need to change for you to participate in a 3 session cohort dedicated to voting?

## Appendix C. Sample Questions: Voting History

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1. Did you ever lose the right to vote?
2. If so, what did that feel like?
3. Were you under the impression you could not vote because of a past justice-involvement?
4. Did you talk to anyone about voting in this election? If so, who?
5. Who do you know who votes? Tell us who they are (can keep names anonymous-say grandmother, close friends etc.). Why do you think they vote?
6. Do you have friends or family impacted by the legal system? Have any of them said they do not think voting is worthwhile or that they do not want to do it? How do you respond?
7. Has anyone ever come to your community to encourage you to vote? (e.g. an elected official, a member of a nonprofit)
8. Has anyone ever taught you about how to register to vote/register/research candidates?
9. Has a campaign ever reached out to you in any way (especially to convince you to vote)?

## Appendix D. Sample Questions: Voting Attitudes

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1. Do you think your vote matters?
2. What made you register to vote after you lost the right? If you never lost the right, what made you register initially?
3. What do you think are the biggest barriers to voting for justice-involved individuals?
4. What do you think would best get members of your community to vote?
5. What do you think would best get people who just got out of prison or jail to vote?
6. Why do you think so few people who are justice-impacted exercise this right to vote?
7. Do you think there are people who think they do not have the right when they do?
8. Is there anything you think justice-involved individuals need to know before they would consider voting?
9. Do you think of voting as something that can lead to racial justice? What can lead to racial justice? Do you have any ideas for what the government should do to help with racial justice and equity?

## Appendix E. Sample Questions: Government Matters

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1. How do you think the government feels about people who have been behind bars?
2. How does the government treat people who have been incarcerated?
3. How could we change what the government does for incarcerated people?
4. If there is one thing you can change about our government, what would it be?
5. What political issue do you care about the most? (can be anything ex. Schools do not have after school activities for kids)

# Appendix F: A Note on Message-Testing: Racially Motivated vs. Neutral Promotion of Civic Engagement

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As mentioned in Section IV, there were 13 students in CCF community organizer Ivelisse Gilestra's cohort who were split into two groups. One group received racially motivated messaging through the curriculum such as that leadership at all jurisdictional levels was needed to address the demands of the Black Lives Matter movement; the other received neutral promotion of civic engagement. The expectations were that the racially motivated messaging would elicit a more passionate response from students. However, it was actually the neutral messaging that caught students' attention, as they were able to charge the conversation with racial commentary themselves.

"When I [taught the curriculum] from a neutral standpoint, they infused [the conversation] with, 'Yeah, but racially, this is what's happening! Usually Black men get incarcerated more often...'" Gilestra said. "It was very infused with that type of dialogue and engagement in class. The racially motivated group was like, 'Of course we know that.' It was less spirited. When we don't mention anything about race, it comes out full-force." Gilestra suggests that more message-testing be done on a larger scale to see if this trend continues.



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