

# LOCKED UP BUT NOT LOCKED OUT

## Inmate Voting Rights in Humboldt County

Released July 11, 2025

### SUMMARY

The Humboldt County Civil Grand Jury finds and concludes that Humboldt County has implemented an excellent inmate voting program that produces positive results.

The American democratic electoral franchise gives people an opportunity to select local, regional, state, and federal representatives and other office holders through elections.

Who is eligible to register and vote in elections? One common belief is that all convicted felons lose the right to participate in elections.

Another assumption is that incarcerated individuals, for many reasons, will not fill out a ballot or send one to the Office of Elections.

This Grand Jury report addresses both as they apply to inmates residing in the Humboldt County Correctional Facility. The Grand Jury also identified the steps taken by the Humboldt County Sheriff's Office, in conjunction with the County Office of Elections, to comply with California's Election and Penal Codes.

The Sheriff's Office and the Office of Elections have updated the process of registering, assisting, and providing inmates with ballots. The Grand Jury investigated how the program works. The November 2024 General Election is the example explored.

The Grand Jury learned that in past elections, only one or two inmates voted. During the November 2024 election cycle, 72 inmates participated in the voting process. This number is remarkable. It resulted from improvements employed by County Correctional deputies and the Office of Elections.

### BACKGROUND

Most Humboldt County Jail inmates are deprived of some freedoms, but not all lose the right to vote.<sup>1</sup> According to a California journalism watchdog<sup>2</sup> organization:

“Most California jails don't offer in-person voting, and voting by mail can be challenging. People might be registered at one address, but even if their mail is being

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<sup>1</sup> California Elections Code §2101

<sup>2</sup> CalMatters, September 22, 2024

<https://calmatters.org/politics/elections/2024/09/california-voters-jails-barriers/>

forwarded to the jail, before they receive it, they may get released or transferred elsewhere.

Advocates who have tried to help those jailed to vote list a host of hurdles that vary by county. Due to lengthy mail screening, some don't get voter guides in time. Others don't get voter guides at all, because people in jail can only receive mail under a certain page limit, or without staples.

Voter information is key to the process, advocates say — letting people know if they're eligible, or how to register or vote. But advocates face their own barriers, such as limits on how often they can visit jails or how long they can stay.”

California's Correctional Facilities include state prisons and county jails. In recent years, over-population of State prisons necessitated legislation relocating some inmates to County Correctional Facilities. Some State felons may be serving time in Humboldt County at any given time and remain ineligible to vote.

## **METHODOLOGY**

Grand Jury members interviewed several key Office of Elections and Sheriff's Office personnel. Because of security concerns, we were unable to interview inmates or observe the election process inside the Correctional Facility.

Grand Jury members researched State election and penal codes, County Office of Elections material, and Secretary of State information on voting rights of felons. We reviewed Humboldt County Sheriff's Office Policies and Procedures for Inmate Voting, and we documented items provided to County inmates.

## **DISCUSSION**

There is growing interest in California to encourage people serving a jail sentence, or who are awaiting trial, to become more engaged in the voting process. This can provide a greater sense of normality and inclusion as a member of society, even while incarcerated. It may also lead to greater civic participation once out of jail.

In past elections, Humboldt Correctional Facility's inmate participation was very low with one or two inmates casting a ballot. In preparation for the November 2024 election, Humboldt County Correctional Officers actively encouraged inmates to participate in the November election and worked closely with the County Office of Elections. Sheriff's Office staff reported that inmates were excited about being able to vote. The Grand Jury also learned that Correctional Officers worked one-on-one with inmates to aid in the process of registration and voting. Assistance was provided for inmates with a reading disability.

According to Humboldt County Correctional Facility staff, in November 2024, 72 ballots were cast by inmates. An additional ten inmates completed voter registration but did not submit ballots. Forty-Five inmates participated in same-day voting on election day. The maximum number of inmates on any given day can be up to 300, although this includes inmates who are not eligible to vote. Thus, at least 24% of inmates voted in November 2024. This is a remarkable increase.

The Humboldt County Correctional Facility is preparing an Elections Manual, for approval and adoption by the Humboldt County Sheriff's Office, to record and preserve effective inmate voting procedures for future guidance.

Correctional Officers coordinated with the County Office of Elections to encourage eligible inmates to register to vote and then to vote in the upcoming elections. To participate, an inmate serving time or awaiting trial must be in the facility at the time a ballot is filled out.

Changes that were implemented in 2024 that contributed to this outcome are:

- Election materials were provided to any inmate upon request. Inmates are eligible to vote in federal, State, and local elections. Elections Office personnel provided each person with a ballot that reflected the home address provided on the registration form. Election materials that were provided upon request are:
  - Registration forms
  - California Voter Guides
  - Humboldt County Voter Guide including additional information prepared specifically for inmates
  - Sample ballots
  - Ballots with return envelopes
  - Secured outer envelopes to ensure privacy of a secured secret ballot
- Staff time was allotted to inform and assist in registration and voting.
- Inmates were able to register on election day and were driven to the Office of Elections to complete and submit ballots.
- The Sheriff's Office provided the County Office of Elections a list of current inmates for use in determining voter eligibility prior to mailing voter information and ballots. This ensured that ineligible voters were not provided ballots.
- The Office of Elections provided the Correctional Facility staff materials for use in training staff on the proper completion of voter registration.
- The Correctional Facility posted voting information on bulletin boards in all housing units and common areas.
- General ballots were provided to inmates registered out of county who wished to vote.
- Private voting was secured. The Correctional Facility multipurpose room was equipped with privacy screens for voting. Completed ballots were placed into envelopes and sealed.

- Inmates were able to verify that their ballot had been submitted to the Office of Elections by calling that office on the phone from the Correctional Facility and supplying their ballot stub reference number. This call was free of charge.

During this Grand Jury Investigation, the North Coast Journal independently released a story on the improved inmate voting process at the County's Correctional Facility. This article was prepared without input from the Grand Jury and is a resource document.<sup>3</sup>

Humboldt County Correctional staff were proactive in supporting the rights of inmates. The results of this effort speak for themselves.

## CONCLUSION

The Humboldt County Civil Grand Jury commends the County for taking a proactive approach consistent with recent legislative action by the State concerning inmate voting rights. Humboldt County could serve as a model for other counties in the state.

## FINDINGS

The Humboldt County Civil Grand Jury finds that:

**F1:** Voting procedures in the jail have improved, resulting in a record number of inmates voting.

**F2:** General election material is readily available to inmates, encouraging greater participation.

**F3:** There is good coordination between the Office of Elections and Correctional staff. This allowed inmates to become better informed about candidates and issues that appeared on the ballot.

**F4:** The Humboldt County Correctional Facility is in the process of developing an Elections Manual to preserve and record effective inmate voting procedures for future guidance. **(R1)**

## RECOMMENDATIONS

The Humboldt County Civil Grand Jury recommends that:

**R1:** The Humboldt County Correctional Facility prepare an Elections Manual to be approved and adopted by the Humboldt County Sheriff's Office by no later than December 31, 2025. **(F4)**

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<sup>3</sup> North Coast Journal January 7, 2025

<https://www.northcoastjournal.com/NewsBlog/archives/2025/01/07/exceptional-work-allowed-eligible-humboldt-jail-inmates-to-cast-ballots>

## **RESPONSES**

Pursuant to California Penal Code sections 933 and 933.05, each entity or individual named below must respond to the enumerated Findings and Recommendations within specific statutory guidelines.

Responses to Findings shall be either:

- The respondent agrees with the finding; or
- The respondent disagrees wholly or partially with the finding, in which case, the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons, therefor.

Responses to Recommendations shall one of the following:

- The recommendation has been implemented, with a summary regarding the implemented action; or
- The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation; or
- The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a time frame for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency where applicable. This time frame shall not exceed six months from the date of publication of the Grand Jury report; or
- The recommendation will not be implemented because it is not warranted or is not reasonable with an explanation, therefor.

### **REQUIRED RESPONSE – WITHIN 60 DAYS**

The Humboldt County Sheriff  
(All findings, all recommendations)

### **REQUIRED RESPONSE – WITHIN 90 DAYS**

The Humboldt County Board of Supervisors  
(All findings, all recommendations)

### **Invited responses**

The Humboldt County Civil Grand Jury also invites the following entities or individuals to respond.

The Humboldt County Registrar of Voters

**(All findings, all recommendations)**

**Responses are to be sent to:**

The Honorable Judge Kelly L. Neel  
Humboldt County Superior Court  
825 5<sup>th</sup> Street, Eureka, CA 95501

The Humboldt County Civil Grand Jury  
PO Box 657, Eureka, CA 95502 A

*Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.*