

October 16, 2019

Col. Martin Kumer  
Albemarle Charlottesville Regional Jail  
160 Peregory Lane  
Charlottesville, VA 22902

Dear Col. Kumer:

The American Civil Liberties Union (“ACLU”) of Virginia is dedicated to protecting and expanding the freedom to vote for all Virginians 18 and over. Accordingly, we want to be sure sheriffs and superintendents of regional jails are aware of and fulfill their duty to protect the voting rights of all those who are currently detained in Virginia jails while awaiting trial or serving a misdemeanor sentence.



Virginia

701 E. Franklin Street  
Suite 1412  
(804) 644-8022  
Richmond VA 23219  
acluva.org

Under the U.S. Constitution, those held in jails are legally permitted to vote unless they are otherwise ineligible due to age, citizenship status, or a prior felony conviction. U.S. Const. amend. XIV, §1. Preventing someone from exercising their voting rights is illegal and undermines the presumption of innocence that is integral to our criminal legal system. This is also important because national statistics show that people of color and low-income individuals are disproportionately represented in jail populations. *See Jail Inmates in 2017*, Bureau of Justice Statistics (Apr. 2019), available at [https://www.bjs.gov/content/pub/pdf/ji17\\_sum.pdf](https://www.bjs.gov/content/pub/pdf/ji17_sum.pdf).

Virginia law permits “[a]ny person who is confined while awaiting trial or for having been convicted of a misdemeanor” to request an absentee ballot if their trial or release date is scheduled within three days preceding the election. Va. Code § 24.2-700(5). Virginia law also requires that, upon the request of any person who is confined awaiting trial in the same city or county where they are a resident, the individual “be taken to the polls to vote on election day if his trial date is postponed and he did not have an opportunity to vote absentee.” Va. Code § 24.2-700(5). This means that all registered voters detained in jail can request an absentee ballot and, under certain circumstances, must be taken by jail officials to a polling site on Election Day.

The deadlines for absentee ballots for the **November 5, 2019, General Election** are as follows:

- *Absentee ballot by mail application request: 5:00 p.m. Tuesday, October 29, 2019.*

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Sincerely,



Claire Guthrie Gastañaga  
Executive Director

CC: Virginia Association of Regional Jails  
Virginia Department of Elections  
Virginia Sheriff's Association  
Virginia Indigent Defense Commission

October 16, 2019

Administrator Timothy Trent  
Blue Ridge Regional Jail  
P.O Box 6078  
Lynchburg, VA 24505

Dear Administrator Trent:

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Sincerely,



Claire Guthrie Gastañaga  
Executive Director

CC: Virginia Association of Regional Jails  
Virginia Department of Elections  
Virginia Sheriff's Association  
Virginia Indigent Defense Commission

October 16, 2019

Superintendent Frank Dyer  
Central Virginia Regional Jail  
13021 James Madison Hwy.  
Orange, VA 22960

Dear Superintendent Dyer:

The American Civil Liberties Union (“ACLU”) of Virginia is dedicated to protecting and expanding the freedom to vote for all Virginians 18 and over. Accordingly, we want to be sure sheriffs and superintendents of regional jails are aware of and fulfill their duty to protect the voting rights of all those who are currently detained in Virginia jails while awaiting trial or serving a misdemeanor sentence.



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Claire Guthrie Gastañaga  
Executive Director

CC: Virginia Association of Regional Jails  
Virginia Department of Elections  
Virginia Sheriff's Association  
Virginia Indigent Defense Commission

October 16, 2019

Superintendent Ronaldo Myers  
Hampton Roads Regional Jail  
2690 Elmhurst Lane  
Portsmouth, VA 23701

Dear Superintendent Myers:

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Sincerely,



Claire Guthrie Gastañaga  
Executive Director

CC: Virginia Association of Regional Jails  
Virginia Department of Elections  
Virginia Sheriff's Association  
Virginia Indigent Defense Commission



October 16, 2019

Superintendent Crystal Willett  
Meherrin River Jail  
9000 Boydton Plank Road  
Alberta, VA 23821

Dear Superintendent Willett:

The American Civil Liberties Union (“ACLU”) of Virginia is dedicated to protecting and expanding the freedom to vote for all Virginians 18 and over. Accordingly, we want to be sure sheriffs and superintendents of regional jails are aware of and fulfill their duty to protect the voting rights of all those who are currently detained in Virginia jails while awaiting trial or serving a misdemeanor sentence.



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Claire Guthrie Gastañaga  
Executive Director

CC: Virginia Association of Regional Jails  
Virginia Department of Elections  
Virginia Sheriff's Association  
Virginia Indigent Defense Commission

October 16, 2019

Superintendent Timothy Doss  
Middle Peninsula Regional Jail  
PO Box 403  
Saluda, VA 23149

Dear Superintendent Doss:

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Claire Guthrie Gastañaga  
Executive Director

CC: Virginia Association of Regional Jails  
Virginia Department of Elections  
Virginia Sheriff's Association  
Virginia Indigent Defense Commission

October 16, 2019

Superintendent Jack Lee  
Middle River Regional Jail  
P.O. Box 2744  
Staunton, VA 24402

Dear Superintendent Lee:

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Executive Director

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Virginia Department of Elections  
Virginia Sheriff's Association  
Virginia Indigent Defense Commission

October 16, 2019

Superintendent Gregory Winston  
New River Valley Regional Jail  
108 Baker Road  
Dublin, VA 24084

Dear Superintendent Winston:

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Claire Guthrie Gastañaga  
Executive Director

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Virginia Sheriff's Association  
Virginia Indigent Defense Commission



October 16, 2019

Superintendent Edward Hull  
Northern Neck Regional Jail  
P.O. Box 1090  
Warsaw, VA 22572

Dear Superintendent Hull:

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**ACLU**

AMERICAN CIVIL LIBERTIES UNION

Virginia

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(804) 644-8022  
Richmond VA 23219  
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Every eligible voter — including those who are currently incarcerated in our local jails — must be allowed to exercise their rights and have voice in the elections that shape our laws and society. Please do not hesitate to reach out if you have any questions or wish to discuss the matter further. We can be reached at (804) 644-8022 or [acluva@acluva.org](mailto:acluva@acluva.org).

Sincerely,



Claire Guthrie Gastañaga  
Executive Director

CC: Virginia Association of Regional Jails  
Virginia Department of Elections  
Virginia Sheriff's Association  
Virginia Indigent Defense Commission

October 16, 2019

Superintendent James Whitley  
Northwestern Regional Jail  
141 Fort Collier Road  
Winchester, VA 22603

Dear Superintendent Whitley:

The American Civil Liberties Union (“ACLU”) of Virginia is dedicated to protecting and expanding the freedom to vote for all Virginians 18 and over. Accordingly, we want to be sure sheriffs and superintendents of regional jails are aware of and fulfill their duty to protect the voting rights of all those who are currently detained in Virginia jails while awaiting trial or serving a misdemeanor sentence.

Under the U.S. Constitution, those held in jails are legally permitted to vote unless they are otherwise ineligible due to age, citizenship status, or a prior felony conviction. U.S. Const. amend. XIV, §1. Preventing someone from exercising their voting rights is illegal and undermines the presumption of innocence that is integral to our criminal legal system. This is also important because national statistics show that people of color and low-income individuals are disproportionately represented in jail populations. *See Jail Inmates in 2017*, Bureau of Justice Statistics (Apr. 2019), available at [https://www.bjs.gov/content/pub/pdf/ji17\\_sum.pdf](https://www.bjs.gov/content/pub/pdf/ji17_sum.pdf).

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Sincerely,



Claire Guthrie Gastañaga  
Executive Director

CC: Virginia Association of Regional Jails  
Virginia Department of Elections  
Virginia Sheriff's Association  
Virginia Indigent Defense Commission

October 16, 2019

Superintendent Donald Hunter  
Piedmont Regional Jail  
P.O. Drawer 388  
Farmville, VA 23901

Dear Superintendent Hunter:

The American Civil Liberties Union (“ACLU”) of Virginia is dedicated to protecting and expanding the freedom to vote for all Virginians 18 and over. Accordingly, we want to be sure sheriffs and superintendents of regional jails are aware of and fulfill their duty to protect the voting rights of all those who are currently detained in Virginia jails while awaiting trial or serving a misdemeanor sentence.



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Sincerely,



Claire Guthrie Gastañaga  
Executive Director

CC: Virginia Association of Regional Jails  
Virginia Department of Elections  
Virginia Sheriff's Association  
Virginia Indigent Defense Commission

October 16, 2019

Superintendent Peter Meletis  
Prince William-Manassas ADC  
9311 Lee Avenue JU130  
Manassas, VA 20110

Dear Superintendent Meletis:

The American Civil Liberties Union (“ACLU”) of Virginia is dedicated to protecting and expanding the freedom to vote for all Virginians 18 and over. Accordingly, we want to be sure sheriffs and superintendents of regional jails are aware of and fulfill their duty to protect the voting rights of all those who are currently detained in Virginia jails while awaiting trial or serving a misdemeanor sentence.



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Sincerely,

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Claire Guthrie Gastañaga  
Executive Director

CC: Virginia Association of Regional Jails  
Virginia Department of Elections  
Virginia Sheriff's Association  
Virginia Indigent Defense Commission



October 16, 2019

Superintendent Phil Grimes  
Rappahannock Regional Jail  
PO Box 3030  
Stafford, VA 22555

Dear Superintendent Grimes:

The American Civil Liberties Union (“ACLU”) of Virginia is dedicated to protecting and expanding the freedom to vote for all Virginians 18 and over. Accordingly, we want to be sure sheriffs and superintendents of regional jails are aware of and fulfill their duty to protect the voting rights of all those who are currently detained in Virginia jails while awaiting trial or serving a misdemeanor sentence.



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Claire Guthrie Gastañaga  
Executive Director

CC: Virginia Association of Regional Jails  
Virginia Department of Elections  
Virginia Sheriff's Association  
Virginia Indigent Defense Commission

October 16, 2019

Superintendent Jeffery Newton  
Riverside Regional Jail  
500 Folar Trail  
North Prince George, VA 23860

Dear Superintendent Newton:

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Claire Guthrie Gastañaga  
Executive Director

CC: Virginia Association of Regional Jails  
Virginia Department of Elections  
Virginia Sheriff's Association  
Virginia Indigent Defense Commission

October 16, 2019

Superintendent Derrick Almarode  
Rockbridge Regional Jail  
258 Greenhouse Rd  
Lexington, VA 24450

Dear Superintendent Almarode:

The American Civil Liberties Union (“ACLU”) of Virginia is dedicated to protecting and expanding the freedom to vote for all Virginians 18 and over. Accordingly, we want to be sure sheriffs and superintendents of regional jails are aware of and fulfill their duty to protect the voting rights of all those who are currently detained in Virginia jails while awaiting trial or serving a misdemeanor sentence.



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Claire Guthrie Gastañaga  
Executive Director

CC: Virginia Association of Regional Jails  
Virginia Department of Elections  
Virginia Sheriff's Association  
Virginia Indigent Defense Commission

October 16, 2019

Superintendent Russ Gilkison  
RSW Regional Jail  
6601 Winchester Road  
Front Royal, VA 22630

Dear Superintendent Gilkison:

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Claire Guthrie Gastañaga  
Executive Director

CC: Virginia Association of Regional Jails  
Virginia Department of Elections  
Virginia Sheriff's Association  
Virginia Indigent Defense Commission



October 16, 2019

Superintendent Karen Craig  
Southside Regional Jail  
244 Uriah Branch Way  
Emporia, VA 23847

Dear Superintendent Craig:

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October 16, 2019

Superintendent Steve Clear  
Southwest Virginia Regional Jail  
P.O. Box 279  
Meadowview, VA 24361

Dear Superintendent Clear:

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Virginia law permits “[a]ny person who is confined while awaiting trial or for having been convicted of a misdemeanor” to request an absentee ballot if their trial or release date is scheduled within three days preceding the election. Va. Code § 24.2-700(5). Virginia law also requires that, upon the request of any person who is confined awaiting trial in the same city or county where they are a resident, the individual “be taken to the polls to vote on election day if his trial date is postponed and he did not have an opportunity to vote absentee.” Va. Code § 24.2-700(5). This means that all registered voters detained in jail can request an absentee ballot and, under certain circumstances, must be taken by jail officials to a polling site on Election Day.

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AMERICAN CIVIL LIBERTIES UNION

Virginia

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Sincerely,

A handwritten signature in blue ink, appearing to read "Claire Guthrie Gastañaga".

Claire Guthrie Gastañaga  
Executive Director

CC: Virginia Association of Regional Jails  
Virginia Department of Elections  
Virginia Sheriff's Association  
Virginia Indigent Defense Commission

October 16, 2019

Superintendent John Kuplinski  
Virginia Peninsula Regional Jail  
9320 Merrimac Trail  
Williamsburg, VA 23185

Dear Superintendent Kuplinski:

The American Civil Liberties Union (“ACLU”) of Virginia is dedicated to protecting and expanding the freedom to vote for all Virginians 18 and over. Accordingly, we want to be sure sheriffs and superintendents of regional jails are aware of and fulfill their duty to protect the voting rights of all those who are currently detained in Virginia jails while awaiting trial or serving a misdemeanor sentence.



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Claire Guthrie Gastañaga  
Executive Director

CC: Virginia Association of Regional Jails  
Virginia Department of Elections  
Virginia Sheriff's Association  
Virginia Indigent Defense Commission

October 16, 2019

Superintendent William Smith  
Western Tidewater Regional Jail  
2402 Godwin Blvd  
Suffolk, VA 23434

Dear Superintendent Smith:

The American Civil Liberties Union (“ACLU”) of Virginia is dedicated to protecting and expanding the freedom to vote for all Virginians 18 and over. Accordingly, we want to be sure sheriffs and superintendents of regional jails are aware of and fulfill their duty to protect the voting rights of all those who are currently detained in Virginia jails while awaiting trial or serving a misdemeanor sentence.



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Claire Guthrie Gastañaga  
Executive Director

CC: Virginia Association of Regional Jails  
Virginia Department of Elections  
Virginia Sheriff's Association  
Virginia Indigent Defense Commission



October 16, 2019

Superintendent Bobby Russell  
Western Virginia Regional Jail  
5885 W. River Road  
Salem, VA 24153

Dear Superintendent Russell:

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