



STATE OF DELAWARE
DEPARTMENT OF CORRECTION
Office of the Commissioner
245 McKee Road
Dover, Delaware 19904

Monroe B. Hudson Jr.
Commissioner

(302) 739-5601
Fax: (302) 739-8219

September 19, 2022

Dwayne J. Bensing, Esq.
Legal Director
ACLU of Delaware
100 West 10th Street
Suite 706
Wilmington, DE 19801

Re: voter registration and absentee ballot processing for eligible incarcerated persons

Dear Mr. Bensing:

Thank you for your letter dated September 12, 2022, to which you have requested a response in seven days and formally demanded reasonable assurances that the Delaware Department of Correction (“DOC”) is providing eligible voters in DOC custody the opportunity to vote and request-and-return absentee applications and ballots.

Please be aware that the DOC removed the posters it had previously posted in the housing units of pre-trial detainees regarding eligibility and the means of requesting absentee ballots to vote in the primary and general elections in Delaware. On August 31, 2022, the DOC replaced those posters with the attached materials. On September 1, the DOC distributed paper copies on housing units of copies of the attached voter registration and ballot request forms.

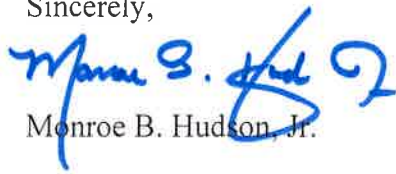
On September 2, 2022, Department of Elections (“DOE”) Commissioner Anthony Albence and DOE Community Relations Coordinator Cathleen Carter conducted training by zoom with 29 DOC employees (correctional counselors, treatment administrators, and correctional officers who handle mail), from each of the DOC’s Level V facilities. The training instructed DOC staff on the physical appearance of DOE mail, the necessity to retain all envelopes, and knowledge that postage is not required to send back the DOE mail. The DOC recorded the training so that staff who were unable to participate on September 2 could do so at another date. The DOC has

placed sample DOE envelopes and election materials in each of its mailrooms so that staff are aware of the physical appearance of those documents.

As of September 7, 2022, the DOC's vendor that operates the phone and tablets within DOC facilities, Viapath, made the DOE phone number printed on the posters a free call to any persons wishing to seek assistance directly from the DOE in registering to vote or obtaining an absentee ballot.

The DOC has endeavored to inform eligible incarcerated persons of their right to vote and taken steps to ensure that staff are not an impediment to eligible voters' exercise their rights.

Sincerely,

A handwritten signature in blue ink, appearing to read "Monroe B. Hudson, Jr.", with a stylized flourish at the end.

Attachments (posters, registration form, absentee ballot request form)

Cc: Anthony Albence, Commissioner, Delaware Department of Elections
Frank Broujos, Deputy Attorney General
Gregory E. Smith, Deputy Attorney General