

1 [Supporting Assembly Constitutional Amendment No. 4 (Bryan and Becker) - Restoring the
2 Right to Vote for Incarcerated People]

3 **Resolution supporting Assembly Constitutional Amendment No. 4, authored by**
4 **Assembly Member Isaac Bryan and Senator Josh Becker, to restore the right to vote for**
5 **incarcerated people in the California State Constitution.**

6
7 WHEREAS, The California Constitution authorizes a person to vote if the person is a
8 United States citizen, at least 18 years of age, and a resident of the state but this right does
9 not extend to a person currently incarcerated and serving a state or federal prison term; and

10 WHEREAS, California has a long history of redistricting voting rights based on race
11 and until 1962, California refused to ratify the 14th Amendment, which granted equal
12 protection of the law after the Civil War, and the 15th Amendment, which prohibits voting
13 restrictions based on race; and

14 WHEREAS, Disenfranchising people in prison was written into California's first
15 constitution and the prohibition arose alongside the legacy of Jim Crow when laws were
16 designed to neutralize the political participation of Black, Brown, and Indigenous communities;
17 and

18 WHEREAS, In recent years, California has made significant and historic reforms that
19 have expanded voting rights and voter access with the goal of achieving a more
20 representative democracy, but to this day, California citizens serving a prison term are denied
21 the right to vote; and

22 WHEREAS, The prohibition of the right to vote for incarcerated people
23 disproportionately disenfranchises Black, Brown, Poor and Indigenous people and veterans;
24 and

25

1 WHEREAS, Black people make up 6 percent of California’s population but account for
2 approximately 30 percent of the state’s prison population, and in 2020, 50,000 Black people
3 and over 77,000 Latino people in California were prohibited from voting because of their
4 contact with the criminal legal system; and

5 WHEREAS, California currently has nearly 7,000 veterans who are denied their voting
6 rights because they are incarcerated and many of those veterans return to civilian life with
7 visible and invisible trauma, and face a likelihood of becoming unhoused and arrested that is
8 significantly higher than the general public; and

9 WHEREAS, Incarcerated Californians in the Los Angeles County Jails already have the
10 right to vote as the LA County Registrar-Recorder conducts elections regularly with mobile
11 voting booths and California should ensure that all incarcerated people have meaningful
12 access to exercising this right; and

13 WHEREAS, According to the Brennan Center for Justice, voting helps support reentry-
14 it gives people a voice and reduces recidivism; and

15 WHEREAS, When people feel that they are valued members of their community, and
16 that their needs and concerns are addressed, they are less likely to re-engage in criminal
17 activity and they are also more likely to volunteer in the community and positively participate
18 in local government; and

19 WHEREAS, Voting creates an opportunity for people in prison to think about their
20 communities positively as they prepare to reenter society and allows people in prison to vote
21 and participate in our democratic process to promote accountability and rehabilitation; and

22 WHEREAS, Many other modern democracies such as Canada, Israel, France,
23 Denmark, Japan, Germany, Czech Republic, Kenya, Netherlands, Poland, Peru, Romania,
24 Sweden, and Zimbabwe allow the right to vote for incarcerated people, and the United States
25 is behind on this; and

1 WHEREAS, In the United States, Vermont, Maine, Washington D.C., and Puerto Rico
2 have restored the right to vote for people in prison; and

3 WHEREAS, Assembly Constitution Amendment No. 4 (ACA 4), introduced by
4 Assembly Member Isaac Bryan and Senator Josh Becker, will give the opportunity for
5 California voters to decide whether to restore voting rights to people completing their prison
6 sentence and allow; and

7 WHEREAS, If passed, ACA 4 will remove the prohibition against people in prison
8 voting that exists in the state constitution and the companion bill, Assembly Bill No. 1595,
9 would remove mention of this prohibition throughout the California Code; and

10 WHEREAS, In a statewide poll, over 60 percent of participants said that voting rights
11 should be restored for people completing their prison sentence; now, therefore, be it

12 RESOLVED, That the San Francisco Board of Supervisors supports Assembly
13 Constitutional Amendment No. 4, and urges its passage in the California State Legislature;
14 and, be it

15 FURTHER RESOLVED, That the San Francisco Board of Supervisors directs the Clerk
16 to submit a copy of this Resolution to the Speaker of the State Assembly, Assembly Member
17 Isaac Bryan, Senator Josh Becker, and the members of San Francisco's legislative
18 delegation, Senator Scott Wiener, Assembly Members Matt Haney and Phil Ting.

19
20
21
22
23
24
25