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

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

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

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

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

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

WHEREAS, The prohibition of the right to vote for incarcerated people disproportionately disenfranchises Black, Brown, Poor and Indigenous people and veterans; and
WHEREAS, Black people make up 6 percent of California’s population but account for
approximately 30 percent of the state’s prison population, and in 2020, 50,000 Black people
and over 77,000 Latino people in California were prohibited from voting because of their
contact with the criminal legal system; and

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

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

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

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

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

WHEREAS, Many other modern democracies such as Canada, Israel, France,
Denmark, Japan, Germany, Czech Republic, Kenya, Netherlands, Poland, Peru, Romania,
Sweden, and Zimbabwe allow the right to vote for incarcerated people, and the United States
is behind on this; and
WHEREAS, In the United States, Vermont, Maine, Washington D.C., and Puerto Rico have restored the right to vote for people in prison; and

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

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

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

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

FURTHER RESOLVED, That the San Francisco Board of Supervisors directs the Clerk to submit a copy of this Resolution to the Speaker of the State Assembly, Assembly Member Isaac Bryan, Senator Josh Becker, and the members of San Francisco's legislative delegation, Senator Scott Wiener, Assembly Members Matt Haney and Phil Ting.
Resolution supporting Assembly Constitutional Amendment No. 4, authored by Assembly Member Isaac Bryan and Senator Josh Becker, to restore the right to vote for incarcerated people in the California State Constitution.

July 11, 2023 Board of Supervisors - ADOPTED

Ayes: 9 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Stefani and Walton
Excused: 1 - Ronen
Absent: 1 - Safai

File No. 230781

I hereby certify that the foregoing Resolution was ADOPTED on 7/11/2023 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

London N. Breed
Mayor

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board