



September 1, 2022

VIA Email to the Office of the Governor and Author

The Honorable Gavin Newsom
Governor of the State of California
1021 O Street, Suite 9000
Sacramento, CA, 95814

Re: AB 256 (Kalra), the California Racial Justice Act for All – Criminal procedure: discrimination – CO-SPONSOR REQUEST FOR SIGNATURE

Dear Governor Newsom:

The League of Women Voters of California, a co-sponsor of AB 256, the California Racial Justice Act for All, writes to request your signature on the bill. The legislation will provide a mechanism for relief for those whose convictions or sentences were based on race, ethnicity, or national origin. It will extend the essential protections of the California Racial Justice Act (AB 2542, 2020) to all Californians.

With the Racial Justice Act of 2020, California took a profound step forward to address institutionalized and implicit racial bias in our criminal courts. The legislation empowers defendants to challenge charges, convictions, or punishment if they can show that anyone involved in their case — a judge, attorney, officer, expert witness, or juror — demonstrated bias during the process, or if they can show statistical evidence of demographic inequities in charges, convictions, or sentences for the same crime. However, the 2020 legislation was prospective; it excluded those who had been harmed prior to January 1, 2021, by racial bias and discrimination that has long permeated our criminal legal system.

If prohibiting racism in our courts and providing someone the means to remedy racial bias in their case is the right thing to do, it is the right thing to do for everyone. Those with prior, racially biased convictions and sentences deserve equal justice under the law and have waited long enough. Additionally, providing a mechanism for retroactive relief will allow the state to realize significant court and correctional savings.

To address workload concerns, AB 256 sets a just phase-in starting with those sentenced to death or facing deportation being provided the opportunity to petition the court for relief starting in January 1, 2023. Amendments provide the prosecution an opportunity to show that the violation did not impact the judgment for certain retroactive claims and provide technical clarifications to the current law requested by Judicial Council and prosecutors.

The League of Women Voters of California is co-sponsoring AB 256, the California Racial Justice Act for All, to make the Racial Justice Act retroactive and ensure that everyone is afforded an opportunity to pursue justice. The League believes that racial discrimination is an evil that must be confronted in every sphere – in voting access, in housing, in education, in employment, and, in California’s criminal legal system. Fundamental fairness demands that the protections of the Racial Justice Act extend to all Californians, and with your signature, they finally will. Thank you.

Sincerely,



Carol Moon Goldberg

President